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## United States Department of Agriculture,

## BUREAU OF CHEMISTRY.

C. L. ALSBERG, Chief of Bureau.

## SERVICE AND REGULATORY ANNOUNCEMENTS.

## SUPPLEMENT.

N. J. 5401—5450.

[Approved by the Acting Secretary of Agriculture, Washington, D. C., January 28, 1918.]

## NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT.

[Given pursuant to section 4 of the Food and Drugs Act.]

**5401. Adulteration and misbranding of vinegar. U. S. \* \* \* v. 100 Barrels \* \* \* of Vinegar. Consent decree of condemnation and forfeiture.** (F. & D. No. 7932. I. S. No. 11039-m. S. No. C-612.)

On December 20, 1916, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 100 barrels of vinegar, remaining unsold in the original unbroken packages at West Hammond, Ill., alleging that the article had been shipped on October 3, 1916, by the Benton Fruit Products Co., Benton Harbor, Mich., and transported from the State of Michigan into the State of Illinois, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Benton Fruit Products Co. Benton Harbor, Mich. Reduced to 4% acetic strength. \* \* \* Fermented cider vinegar."

Adulteration of the article was alleged in the libel for the reason that distilled vinegar, boiled cider, and added ash material had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted in part for said article.

Misbranding was alleged for the reason that the statement appearing on the barrels, to wit, " \* \* \* Reduced to 4% acetic strength. \* \* \* Fermented cider vinegar," was false and misleading in that it represented that the article consisted of pure fermented cider vinegar, whereas, in truth and in fact, distilled vinegar, boiled cider, and added ash material had been mixed and packed with the article so as to reduce, lower, and injuriously affect its quality and strength; and for the further reason that said statement deceived and misled the purchaser into the belief that the article was a pure fermented cider vinegar, whereas, in truth and in fact, it was an imitation pure cider vinegar and was offered for sale under the distinctive name of another article, to wit, pure fermented cider vinegar.

On January 19, 1917, G. B. Gehlert, doing business as the Benton Fruit Products Co., claimant, having admitted the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the article should be delivered to said claimant upon the payment of the costs of the proceedings and other expenses and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act, conditioned in part that the article should be relabeled as imitation cider vinegar.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5402. Adulteration of oranges. U. S. \* \* \* v. 462 Boxes of Oranges. Tried to the court. Finding for Government. Decree of condemnation, forfeiture, and destruction. (F. & D. No. 7933. I. S. No. 21570-m. S. No. W-156.)**

On December 18, 1916, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 462 boxes of oranges, consigned on December 6, 1916, by S. M. Guthrie, Lindsay, Cal., remaining unsold in the original unbroken packages at Denver, Colo., alleging that the article had been transported from the State of California into the State of Colorado, and charging adulteration in violation of the Food and Drugs Act. The article was labeled, "Lindsay's Favorite Brand Ivan C. McIndoo. Lindsay, Tulare County, California."

Adulteration of the article was alleged in the libel for the reason that it consisted in part of decomposed oranges.

Thereafter, Ivan C. McIndoo, Lindsay, Cal., claimant, filed his answer denying the allegations in the libel.

On February 14, 1917, the case came on for trial before the court, a jury having been waived, and after the submission of testimony, it was held that the oranges were adulterated within the meaning of the Food and Drugs Act, as will more fully appear from the following decision by the court (Lewis, D. J.):

There is no doubt about the facts in this case, but I think there is question as to whether or not the facts bring the shipment within the terms of the act of Congress. We declined to meet this question heretofore in connection with a shipment of apples; that is, we refused to issue the writ of seizure. The charge was that some of the apples were rotten, but on preliminary inquiry it appeared that many of them were sound—were in good condition for use, and could be readily seen and separated from the unsound. It is pretty difficult to free our minds from the idea of deception in the sale of this kind of fruit in the condition that the evidence shows these oranges are, and yet that element ought to be eliminated, because the act of Congress in no sense undertakes to reach the purpose of the act by bringing within its terms any fraudulent conduct in the sale of the article. You can not determine the condition of an orange from looking at it as you can an apple. Now, the evidence, I take it, does bring the shipment within the literal terms of the act; the oranges were decomposed in the sense that on account of prior freezing they were undergoing a deteriorating change; that is, a large per cent of them. I presume there is a process of decomposition going on when an apple is passed through the stages of what is popularly called mellowing; it is hard when picked and is kept for several months or weeks before it becomes highly palatable. You would not count that—if that be decomposition—as being within the meaning of the act of Congress, for that is a process purely of nature itself, normal to that fruit.

It is true that freezing does not destroy the wholesomeness, immediately, of fruit—either fruit of this character or other fruits—but it starts the process, which, in a short time, will destroy it for all food purposes; and I conclude from this evidence that would be true in this case of a great per cent of these oranges. On account of having been frosted they would from that cause alone within a reasonable time become wholly unfit for food purposes; within a time less than required to render them unfit for food if they had not been frosted. There is evidence that they were not hurtful if eaten—nothing poisonous about them—nothing harmful in any degree; but there is also evidence that frosting may cause them to have a bitter taste. However, we must conclude that freezing, as already said, through the necessary processes of nature that immediately follow, would lead to the total destruction of this shipment as a food product. Now, if that be true, is it not decomposition within the meaning of the statute? There is no doubt about the facts, that these oranges were frozen before they were shipped from California where they grew, and that rendered them increasingly unfit as a food product. From the time they were frozen they became increasingly less wholesome on that account.

I believe that is decomposition constituting adulteration within the statute. I think you expressed the true issue in the case, Mr. Lee, when you said the sole question is whether or not the facts, which are undisputed, bring them within the intent and purpose of the statute. My judgment is that in the sense of the statute they were adulterated when they were seized at Denver on the 18th of December.

You may take a decree of condemnation without costs.

Thereafter on February 16, 1917, a formal decree of condemnation and forfeiture was entered in accordance with the foregoing decision, and it was ordered that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5403. Adulteration of tomato pulp. U. S. \* \* \* v. 350 Cases of Tomato Pulp. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 7934. I. S. No. 2538-m. S. No. E-776.**

On December 21, 1916, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 350 cases of tomato pulp, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped on or about December 10, 1916, by the Mantik Packing Co., Baltimore, Md., and transported from the State of Maryland into the State of New York, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Ruxton Brand Tomato Pulp Made from Tomatoes and Tomato Trimmings \* \* \*."

Adulteration of the article was alleged, in substance, in the libel for the reason that it consisted in particular, wholly or in part, of a decomposed vegetable substance.

On January 10, 1917, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5404. Adulteration of sardines. U. S. \* \* \* v. 75 Cases of Sardines. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 7935. I. S. No. 2537-m. S. No. E-779.)**

On December 22, 1916, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 75 cases, each containing 100 cans of sardines, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped on or about November 13, 1916, by L. D. Clark & Son, Eastport, Me., and transported from the State of Maine into the State of New York, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Clark Brand American Sardines in Cotton-seed oil. \* \* \* Packed at Eastport, Washn. Co. Maine by L. D. Clark & Son."

Adulteration of the article was alleged in the libel for the reason that it consisted in particular, wholly or in part, of a decomposed animal substance, to wit, decomposed fish.

On January 10, 1917, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5405. Adulteration of scallops. U. S. \* \* \* v. 9 Boxes of Scallops. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 7936. I. S. No. 1078-m. S. No. E-777.)**

On December 14, 1916, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 9 boxes of scallops, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped on or about December 9, 1916, by Charles Boulter, Melfa, Va., and transported from the State of Virginia into the State of New York, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged, in substance, in the libel for the reason that water had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and had been substituted in part for said article.

On January 4, 1917, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5406. Adulteration of scallops. U. S. \* \* \* v. 18 Cans of Scallops. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 7937. I. S. No. 1077-m. S. No. E-778.)**

On December 14, 1916, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 18 cans of scallops, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped on or about December 9, 1916, by J. H. Riggin & Co., Morehead City, N. C., and transported from the State of North Carolina into the State of New York, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged, in substance, in the libel for the reason that water had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and had been substituted in part for said article.

On January 4, 1917, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5407. Adulteration and misbranding of vinegar. U. S. \* \* \* v. 60 Barrels \* \* \* of Cider Vinegar. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 7941. I. S. No. 10629-m. S. No. C-617.)**

On December 28, 1916, the United States attorney for the Southern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 60 barrels of vinegar, consigned on November 6, 1916, remaining unsold in the original unbroken packages at Bloomington, Ill., alleging that the article had been shipped by the Benton Fruit Products Co., Benton Harbor, Mich., and transported from the State of Michigan into the State of Illinois, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled: "Wishbone Brand Cider Vinegar Reduced to Four Percent Acetic Strength" and "Extra Wedding Ring Brand Cider Vinegar Reduced to Four and one-half per cent Acetic Strength."

Adulteration of the article was alleged in substance in the libel for the reason that distilled vinegar, boiled cider, and added ash material had been mixed and packed with the article so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted in part for said article.

Misbranding was alleged for the reason that the statements appearing on the label of the article were false and misleading, and deceived and misled the purchaser of the product; and for the further reason that [the] article was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, cider vinegar.

On January 22, 1917, C. B. Gehlert, doing business as the Benton Fruit Products Co., Benton Harbor, Mich., claimant, having admitted the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be delivered to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act, conditioned in part that the product should be relabeled as imitation cider vinegar.

CARL VROOMAN, *Acting Secretary of Agriculture.*

30476°—18—2

**5408. Adulteration of oranges. U. S. \* \* \* v. 297 Boxes of Oranges. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 7945. I. S. No. 21331-m. S. No. W-158.)**

On January 2, 1917, the United States attorney for the District of Oregon, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 297 boxes of oranges labeled: "Vulcan Brand, American Fruit Distrs. of California Main Office Los Angeles," remaining unsold in the original unbroken packages at Portland, Oreg., alleging that the article had been shipped on December 25, 1916, by the American Fruit Distributors of California, Los Angeles, Cal., and transported from the State of California into the State of Oregon, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in substance in the libel for the reason that it consisted in whole or in part of a decomposed vegetable substance, and that frosted and damaged oranges had been substituted for normal oranges of good commercial quality.

On February 5, 1917, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5409. Adulteration of scallops. U. S. \* \* \* v. 2 Boxes of Scallops. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 7947. I. S. No. 1079-m. S. No. E-781.)**

On December 22, 1916, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 2 boxes, each containing 2 five-gallon cans of scallops, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped on or about December 14, 1916, by the Carteret Fish Co., Morehead City, N. C., and transported from the State of North Carolina into the State of New York, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in substance in the libel for the reason that water had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted in part for said article.

On January 10, 1917, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5410. Adulteration of scallops. U. S. \* \* \* v. 3 Boxes of Scallops. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 7948. I. S. No. 1080-m. S. No. E-782.)**

On December 22, 1916, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 3 boxes of scallops, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped on or about December 16, 1916, by the Morehead City Sea Food Co., Morehead City, N. C., and transported from the State of North Carolina into the State of New York, and charging adulteration in violation of the Foods and Drugs Act.

Adulteration of the article was alleged in substance in the libel for the reason that water had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted in part for said article.

On January 10, 1917, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5411. Adulteration of scallops. U. S. \* \* \* v. 1 Tub of Scallops. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 7949. I. S. No. 1081-m. S. No. E-783.)**

On December 22, 1916, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1 tub of scallops, remaining unsold in the original unbroken package at New York, N. Y., alleging that the article had been shipped on or about December 18, 1916, by Joseph C. Sylvia, Jr., Nantucket, Mass., and transported from the State of Massachusetts into the State of New York, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in substance in the libel for the reason that water had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted in part for said article.

On January 10, 1917, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5412. Adulteration of canned tomatoes. U. S. \* \* \* v. 621 Cases of Canned Tomatoes. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. Nos. 7950, 7951. I. S. No. 2836-m. S. No. E-785.)**

On January 4, 1917, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel of information for the seizure and condemnation of 621 cases of canned tomatoes, consigned on or about October 18, 1916, remaining unsold in the original unbroken packages at Boston, Mass., alleging that the article had been shipped by Roberts Bros., from Cambridge, Md., and transported from the State of Maryland into the State of Massachusetts, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Big Brand Tomatoes \* \* \*."

Adulteration of the article was alleged in the libel of information for the reason that a substance, to wit, added water, had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted in part for said article.

On January 23, 1917, Roberts Bros., Baltimore, Md., claimants, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimants upon the payment of the costs of the proceedings, a good and sufficient bond having been filed by said claimants, in conformity with section 10 of the act.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5413. Adulteration and misbranding of vinegar. U. S. \* \* \* v. 25 Barrels of Vinegar and 45 Barrels of Vinegar. Consent decrees of condemnation and forfeiture. Product ordered released on bond. (F. & D. Nos. 7954, 7955. I. S. No. 3717-m. S. No. E-786.)**

On January 8, 1917, the United States attorney for the District of Rhode Island, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying the seizure and condemnation of 25 barrels of vinegar and 45 barrels of vinegar, remaining unsold in the original unbroken packages at Providence and Pawtucket, R. I., alleging that the article had been shipped on or about November 23, 1916, by Libby, McNeil & Libby, Chicago, Ill., and transported from the State of Illinois into the State of Rhode Island, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Libby, McNeil & Libby, Chicago, Ills. U. S. A. Pure Apple Cider Vinegar, Reduced to 4½ per cent Acetic Strength 45 grain."

Adulteration of the article was alleged in the libels for the reason that vinegar made from dried apple product had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted in part for pure apple cider vinegar.

Misbranding was alleged in substance for the reason that the statement, appearing on the label, to wit, "Pure Apple Cider Vinegar," was false and misleading and deceived and misled the purchaser; and for the further reason that the article was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, cider vinegar.

On March 10, 1917, the Security Trust Co., receiver of the Williams Brothers Co., Detroit, Mich., claimant, having filed answers to the libels, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product should be released to said claimant upon the payment of the costs of the proceedings and the execution of bonds in the aggregate sum of \$300, in conformity with section 10 of the act.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5414. Adulteration of tomatoes. U. S. \* \* \* v. 20 Cases of Tomatoes. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 7959. I. S. No. 1725-m. S. No. E-789.)**

On January 9, 1917, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 20 cases, each containing 2 dozen cans of tomatoes, consigned by J. Langrall & Bro., Inc., Baltimore, Md., remaining unsold in the original unbroken packages at Allentown, Pa., alleging that the article had been shipped on or about November 25, 1916, and transported from the State of Maryland into the State of Pennsylvania, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Maryland Chief Tomatoes \* \* \*. Packed by J. Langrall & Bro., Incorporated, Baltimore, Md."

Adulteration of the article was alleged in the libel for the reason that added water had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and had been substituted in part for tomatoes.

On January 31, 1917, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5-i15. Adulteration of water. U. S. \* \* \* v. 16 Cases of Crazy Water. Default decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 7961, 7962, 7963. I. S. Nos. 21722-m, 21723-m. S. No. W-159.)**

On January 9, 1917, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 16 cases of Crazy Water, consigned on or about June 3, 1916, by the Crazy Well Water Co., Weatherford, Tex., and remaining unsold in the original unbroken packages at San Francisco, Cal., alleging that the article had been shipped and transported from the State of Texas into the State of California, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy, decomposed, and putrid matter.

On January 29, 1917, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

30476°—18—3

**5416. Misbranding of "Allouez Natural Mineral Water."** U. S. \* \* \* v. Allouez Mineral Spring Co., a corporation. Plea of guilty. Fine, \$250. (F. & D. No. 7966. I. S. No. 12911-L.)

On March 16, 1917, the United States attorney for the Eastern District of Wisconsin, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Allouez Mineral Spring Co., a corporation, Green Bay, Wis., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about March 30, 1916, from the State of Wisconsin into the State of Michigan, of a quantity of an article labeled in part: "Allouez Natural Mineral Water," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

*Ions.*

	Mgs. per liter.
Silica (SiO <sub>2</sub> )-----	18. 4
Sulphuric acid (SO <sub>4</sub> )-----	95. 9
Bicarbonic acid (HCO <sub>3</sub> )-----	356. 8
Nitric acid (NO <sub>3</sub> )-----	44. 2
Chlorin (Cl)-----	24. 0
Calcium (Ca)-----	80. 5
Magnesium (Mg)-----	46. 5
Sodium (Na) (by difference)-----	32. 0
	698. 3

*Hypothetical combinations.*

Sodium nitrate (NaNO <sub>3</sub> )-----	60. 6
Sodium chlorid (NaCl)-----	39. 6
Sodium sulphate (Na <sub>2</sub> SO <sub>4</sub> )-----	0. 2
Magnesium sulphate (MgSO <sub>4</sub> )-----	120. 0
Magnesium bicarbonate (Mg(HCO <sub>3</sub> ) <sub>2</sub> )-----	133. 9
Calcium bicarbonate (Ca(HCO <sub>3</sub> ) <sub>2</sub> )-----	325. 6
Silicia (SiO <sub>2</sub> )-----	18. 4
	698. 3

It was alleged in substance in the information that the article was misbranded for the reason that certain statements appearing on its labels falsely and fraudulently represented it as a specific for diseases of the stomach, liver, and kidneys, effective in the treatment and cure of glycosuria, diabetes, nephritis, Bright's disease, eczema, gout, calculi, diarrhea, cystitis, rheumatism, dyspepsia, gastritis, jaundice, and albuminuria, in the treatment of gravel and nervous prostration, and as a cure for duodenitis, dysentery, neurasthenia, stone in the kidney, bladder, and bile ducts, and malarial, typhoid, scarlet, and enteric fevers, when, in truth and in fact, it was not.

On April 7, 1917, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$250.

CARL VROOMAN, *Acting Secretary of Agriculture.*

5417. **Adulteration and misbranding of apple cider.** U. S. \* \* \* v. **Jones Bros. & Co., a corporation.** Plea of guilty. Fine, \$50. (F. & D. No. 7968. I. S. Nos. 21206-m, 21207-m.)

On April 24, 1917, the United States attorney for the District of Oregon, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Jones Brothers & Co., a corporation, Portland, Oreg., alleging shipment by said company, in violation of the Food and Drugs Act, on or about July 27, 1916, and July 14, 1916, from the State of Oregon into the State of Washington, of quantities of an article labeled in part: "Pure Apple Cider" and "Pure Sweet Apple Cider," respectively, which was adulterated and misbranded.

Analyses of samples of the article by the Bureau of Chemistry of this department showed, respectively, the following results:

	No. 1.	No. 2.
Alcohol (per cent by volume)-----	1.85	1.42
Solids by drying (per cent by weight)-----	6.18	7.54
Nonsugar solids (per cent by weight)-----	1.10	1.12
Sucrose by copper (per cent by weight)-----	2.97	3.62
Reducing sugar before inversion (per cent by weight)-----	2.11	2.80
Ash (per cent by weight)-----	0.13	0.11
Sugar equivalent of alcohol (approximate per cent by weight)-----	3.93	3.0
Total sugar found (per cent by weight)-----	5.08	6.42
Total sugar in original cider (estimated) (per cent by weight)-----	9.01	9.42

Analyses indicate product to be diluted and partially fermented cider, of which not less than one-third its volume is added water.

Adulteration of the article in each shipment was alleged in the information for the reason that a certain substance, to wit, water, had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and had been substituted in part for pure apple cider (or pure sweet apple cider), which the article purported to be.

Misbranding was alleged for the reason that the statement appearing on the labels, regarding the article and the ingredients and substances contained therein, to wit, "Pure Apple Cider" (or "Pure Sweet Apple Cider"), was false and misleading in that it represented that the article was pure apple cider (or pure sweet apple cider); and for the further reason that the article was labeled as aforesaid so as to deceive and mislead purchasers into the belief that it was pure apple cider (or pure sweet apple cider), whereas, in truth and in fact, it was not, but was, to wit, a mixture of apple cider and water.

On April 30, 1917, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$50.

CARL VROOMAN, Acting Secretary of Agriculture.

**5418. Adulteration and misbranding of oranges. U. S. \* \* \* v. 384 Boxes of Oranges. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 7969. I. S. No. 11054-m. S. No. C-626.)**

On January 13, 1917, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 384 boxes of oranges, remaining unsold in the original unbroken packages at Minneapolis, Minn., alleging that the article had been shipped on or about December 7, 1916, by the Stewart Fruit Co., Reedley, Cal., and transported from the State of California into the State of Minnesota, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Superior Quality \* \* \* Navel Oranges."

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a decomposed vegetable substance.

Misbranding was alleged for the reason that the oranges were labeled, "Superior Quality Navel Oranges," whereas examination showed the presence of rotten and badly frosted oranges, and said statement was false and misleading, and deceived and misled the purchaser.

On March 6, 1917, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VBOOMAN, *Acting Secretary of Agriculture.*

**5419. Adulteration of tomatoes. U. S. \* \* \* v. 1,200 Cases of Canned Tomatoes. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 7972. I. S. Nos. 2041-m, 2042-m. S. No. E-792.)**

On January 12, 1917, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1,200 cases of canned tomatoes, remaining unsold in the original unbroken packages at Newark, N. J., alleging that the article had been shipped, on or about November 1 and 3, 1916, by the Preston Canning Co., Preston, Md., and transported from the State of Maryland into the State of New Jersey, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "I X L Brand Tomatoes \* \* \* Packed by Preston Canning Co. Preston, Md."

It was alleged in substance in the libel that the article was adulterated for the reason that it had been mixed and packed with about 15 per cent of added water.

On February 5, 1917, Albert W. Sisk, Preston, Md., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be delivered to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act, conditioned in part that the article should be relabeled with a label to be approved by this department.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5420. Adulteration and misbranding of prunes. U. S. \* \* \* v. 65 Boxes \* \* \* of Prunes. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 7974. I. S. No. 11374-m. S. No. C-628.)**

On January 12, 1917, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 65 boxes of prunes, consigned by the Hampton Grocery Co., Catlettsburg, Ky., remaining unsold in the original unbroken packages at Cincinnati, Ohio, alleging that the article had been shipped and transported from the State of Kentucky into the State of Ohio, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: " \* \* \* Santa Claus Brand Choice California Prunes \* \* \*" (or "Phoenix Brand California Prunes") "Packed by Phoenix Packing Co., California."

Adulteration of the article was alleged in the libel for the reason that it contained, and in part consisted of, a decomposed vegetable substance.

Misbranding was alleged for the reason that the labels of the article bore a statement, to wit, "Choice California Prunes," regarding the article, which was false and misleading in that said article was not choice California prunes, but, in truth and in fact, was composed in whole or [and] in part of a filthy and decomposed vegetable substance, and also contained live worms, bugs, and the webs and excreta thereof.

On April 20, 1917, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5421. Adulteration of pork and beans. U. S. \* \* \* v. 650 Cases \* \* \* of Pork and Beans. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 7975. I. S. No. 10588-m. S. No. C-629.)**

On January 17, 1917, the United States attorney for the Northern District of Iowa, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 650 cases of pork and beans, remaining unsold in the original unbroken packages at Cedar Rapids, Iowa, alleging that the article had been shipped on or about November 15, 1916, by the Union Packing Co., Omaha, Nebr., and transported from the State of Nebraska into the State of Iowa, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Wise Choice Brand Pork and Beans \* \* \*."

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a decomposed vegetable substance and product.

On April 5, 1917, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5422. Adulteration and misbranding of vinegar. U. S. \* \* \* v. 40 Barrels of Vinegar. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. Nos. 7978, 7979. I. S. Nos. 3717-m, 3723-m, 3724-m. S. No. E-791.)**

On January 15, 1917, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel of information praying the seizure and condemnation of 40 barrels of vinegar, consigned on December 1, 1916, remaining unsold in the original unbroken packages at Fall River and New Bedford, Mass., alleging that the article had been shipped by Swift & Co., from Providence, R. I., and transported from the State of Rhode Island into the State of Massachusetts, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel of information for the reason that a substance, to wit, vinegar made from dried apple products, had been mixed and packed with said article so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted in part for said article.

It was charged in substance in the libel of information that the article was misbranded for the reason that the statement on the label, to wit, "Pure Apple Cider Vinegar," was false and misleading in that the article was not pure apple cider vinegar; and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser [into the belief that it was pure apple cider vinegar], whereas, in truth and in fact, it was not. Misbranding was alleged for the further reason that the article was an imitation of and offered for sale under the distinctive name of another article, to wit, pure apple cider vinegar, when in fact it was not.

On March 12, 1917, the Security Trust Co., a corporation, Detroit, Mich., receiver of the Williams Brothers Co., claimant, having filed an answer, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be delivered to said claimant upon the payment of the costs of the proceedings, a satisfactory bond having been filed by it, in conformity with section 10 of the act.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5423. Adulteration of oranges. U. S. \* \* \* v. 436 Boxes of Oranges. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 7983. I. S. No. 11055-m. S. No. C-630.)**

On January 15, 1917, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 436 boxes of oranges, remaining unsold in the original unbroken packages at Minneapolis, Minn., alleging that the article had been shipped on or about December 13, 1916, by the Lindsay District Orange Co., Lindsay, Cal., and transported from the State of California into the State of Minnesota, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "\* \* \* Packed by Lindsay District Orange Company, Lindsay, Tulare Co. Cal. \* \* \*" or "\* \* \* Packed by Lindsay District Co. Lindsay California."

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a decomposed vegetable substance.

On March 6, 1917, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

*CARL VROOMAN, Acting Secretary of Agriculture.*

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**5424. Adulteration of "Diamond Brand Tomato Pulp."** U. S. \* \* \* v. Booth Packing Co., a corporation. Plea of guilty. Fine, \$10. (F. & D. No. 7992. I. S. No. 1801-m.)

On April 4, 1917, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Booth Packing Co., a corporation, doing business at Baltimore, Md., alleging shipment by said company, in violation of the Food and Drugs Act, on or about August 8, 1916, from the State of Maryland into the State of New Jersey, of a quantity of an article labeled in part: "Diamond Brand Tomato Pulp," which was adulterated.

Examination of the article by the Bureau of Chemistry of this department showed small pieces of mold, which were picked out and identified as such microscopically, indicating that the tomato pulp was made from moldy tomatoes.

Adulteration of the article was alleged in the information for the reason that it consisted in whole or in part of a filthy, decomposed, or putrid vegetable substance.

On April 4, 1917, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$10.

CARL VROOMAN, *Acting Secretary of Agriculture.*

5425. Misbranding of cottonseed meal. U. S. \* \* \* v. Tecumseh Oil & Cotton Co., a corporation. Plea of guilty. Fine, \$50 and costs. (F. & D. No. 7993. I. S. No. 19954-L.)

On March 15, 1917, the United States attorney for the Western district of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Tecumseh Oil & Cotton Co., a corporation, doing business at Tecumseh, Okla., alleging shipment by said company, in violation of the Food and Drugs Act, on or about January 19, 1916, from the State of Oklahoma into the State of Iowa, of a quantity of an article labeled in part: "Imperial Cotto Brand Choice Cotton Seed Meal," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Crude fat (per cent)-----	6.50
Crude fiber (per cent)-----	13.9
Nitrogen (per cent)-----	5.84
Ammonia (per cent)-----	7.11
Protein (per cent)-----	36.5

The above results show that the product contained less crude fat, less nitrogen, less ammonia, less protein, and more fiber than was guaranteed upon the label.

Misbranding of the article was alleged in substance in the information for the reason that the statement borne on the label attached to the sacks, to wit, "Guaranteed Analysis Not Less Than Ammonia, 8.00% Nitrogen, 6.50% Protein, 41.00% to 45.00% Crude Fat, 8.00% Crude Fiber, (Maximum) 9.00%", regarding the article and the ingredients and substances contained therein, was false and misleading in that it represented that the article contained not less than 8 per cent of ammonia, not less than 6.50 per cent of nitrogen, not less than 41 per cent of protein, not less than 8 per cent of crude fat, and not more than 9 per cent of crude fiber; and for the further reason that the article was labeled as aforesaid, so as to deceive and mislead the purchaser into the belief that it contained not less than 8 per cent of ammonia, not less than 6.50 per cent of nitrogen, not less than 41 per cent of protein, not less than 8 per cent of crude fat, and not more than 9 per cent of crude fiber, whereas, in truth and in fact, it contained, to wit, approximately 7.11 per cent of ammonia, approximately 5.84 per cent of nitrogen, approximately 36.5 per cent of protein, approximately 6.50 per cent of crude fat, and approximately 13.9 per cent of crude fiber.

On April 5, 1917, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$50 and costs.

CARL VROOMAN, *Acting Secretary of Agriculture*

**5426. Adulteration of shrimp. U. S. \* \* \* v. 70 Cases of Shrimp. Default decree of condemnation, forfeiture, and destruction.** (F. & D. Nos. 7996, 7997, 7998. I. S. Nos. 3122-m, 3123-m, 3124-m. S. Nos. E-793, E-794, E-795.)

On January 17, 1917, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel of information for the seizure and condemnation of 70 cases of shrimp, remaining unsold in the original unbroken packages at Boston, Mass., alleging that the article had been shipped by the Sea Food Co., Biloxi, Miss., and transported from the State of Mississippi into the State of Massachusetts, the different shipments having been received about December 29, 1916, January 3, 1917, and January 9, 1917, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Seafooco Brand \* \* \* Gulf shrimp \* \* \* Packed by Sea Food Co., Biloxi, Miss., Brunswick, Ga."

Adulteration of the article was alleged in the libel of information for the reason that it consisted in part of filthy, decomposed, and putrid animal substances.

On February 20, 1917, proclamation having been made and default noted, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5427. Adulteration of tomato pulp. U. S. \* \* \* v. William P. Andrews.**  
**Plea of nolo contendere. Fine, \$25. (F. & D. No. 7999. I. S. Nos.**  
**11143-1, 11144-1, 2453-1, 3849-1.)**

On April 19, 1917, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against William P. Andrews, Crapo, Md., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about November 18, 1915 (2 shipments), from the State of Maryland into the State of Texas, and on or about March 8, 1916, and March 13, 1916, from the State of Maryland into the State of Massachusetts, of quantities of an article labeled in part: "Asquith Brand Tomato Pulp," which was adulterated.

Analyses of samples of the article in each shipment by the Bureau of Chemistry of this department showed that it consisted of a partially decomposed vegetable product.

Adulteration of the article in each shipment was alleged in the information for the reason that it consisted in part of a filthy, decomposed, and putrid vegetable substance.

On April 19, 1917, the defendant entered a plea of nolo contendere to the information, and the court imposed a fine of \$25.

**CARL VROOMAN, Acting Secretary of Agriculture.**

**5428. Adulteration and misbranding of cocoa. U. S. \* \* \* v. Henry V. Stollwerck (Victor Chocolate Works). Plea of guilty. Fine, \$25. (F. & D. No. 8000. I. S. Nos. 1206-m, 1218-m.)**

On March 8, 1917, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Henry V. Stollwerck, trading as the Victor Chocolate Works, Jersey City, N. J., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about August 11, 1916, and June 13, 1916, from the State of New Jersey into the State of New York, of quantities of articles labeled in part: "Peerless Cocoa" and "Jersey Pride Brand Cocoa," respectively, which were adulterated and misbranded.

Analyses of samples of the article by the Bureau of Chemistry of this department showed the following results:

Shipment of August 11, 1916.

Fat (per cent)-----	14.10
Total ash (per cent)-----	8.71
Water-insoluble ash (per cent)-----	5.42
Crude fiber (per cent)-----	7.92

Shipment of June 13, 1916.

Fat (per cent)-----	20.00
Total ash (per cent)-----	7.83
Water-insoluble ash (per cent)-----	5.90
Crude fiber (per cent)-----	6.64

The above results show the presence of added cacao shells, which was also indicated by microscopical examination.

Adulteration of the article in each shipment was alleged in the information for the reason that a certain substance, to wit, cacao shells, had been substituted in part for cocoa which the article purported to be, and had been mixed and packed with the article so as to reduce, lower, and injuriously affect its quality and strength.

Misbranding was alleged for the reason that the statement, to wit, "Cocoa," appearing on the label, regarding the article and the ingredients and substance contained therein, was false and misleading in that it represented to purchasers that the article consisted wholly of cocoa; and for the further reason that it was labeled, "Cocoa," so as to deceive and mislead purchasers into the belief that it consisted wholly of cocoa, when, in truth and in fact, it did not, but consisted of, to wit, a mixture of cocoa and added cacao shells.

On March 19, 1917, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5429. Adulteration of oranges. U. S. \* \* \* v. 396 Boxes of Oranges. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 8003. I. S. Nos. 21587-m, 21588-m. S. No. W-160.)**

On January 18, 1917, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 396 boxes of oranges, consigned on or about January 3, 1917, by the Mutual Orange Distributors, Riverside, Cal., and remaining unsold in the original unbroken packages at Denver, Colo., alleging the article had been shipped and transported from the State of California into the State of Colorado, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "\* \* \* Grown & Packed by Riverside Mutual Orange Co., Riverside, California."

Adulteration of the article was alleged in the libel for the reason that it consisted in part of decomposed oranges.

On February 16, 1917, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5430. Adulteration of scallops. U. S. \* \* \* v. 3 Boxes \* \* \* of Scallops. Default decree of condemnation and forfeiture. Product ordered sold. (F. & D. No. 8004. I. S. No. 3914-m. S. No. E-796.)**

On January 11, 1917, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 3 boxes, each containing 2 five-gallon cans of scallops, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped on or about January 5, 1917, by the Morehead City Sea Food Co., Morehead City, N. C., and transported from the State of North Carolina into the State of New York, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in substance in the libel for the reason that water had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and had been substituted in part for said article.

On January 31, 1917, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be sold by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5431. Adulteration of scallops. U. S. \* \* \* v. 2 Boxes of Scallops. Default decree of condemnation and forfeiture. Product ordered sold. (F. & D. No. 8005. I. S. No. 3915-m. S. No. E-797.)**

On January 11, 1917, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 2 boxes, each containing 2 three-gallon cans of scallops, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped on or about January 4, 1917, by Joseph Dixon & Sons, Morehead City, N. C., and transported from the State of North Carolina into the State of New York, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in substance in the libel for the reason that water had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and had been substituted in part for said article.

On January 31, 1917, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be sold by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5432. Adulteration of scallops. U. S. \* \* \* v. 3 Boxes of Scallops. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 8006. I. S. No. 3917-m. S. No. E-798.)**

On January 13, 1917, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 3 boxes of scallops, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped on or about January 5, 1917, by the Carteret Fish Co., Morehead City, N. C., and transported from the State of North Carolina into the State of New York, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in substance in the libel for the reason that water had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and had been substituted in part for said article.

On February 26, 1917, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5433. Adulteration of shell eggs.** U. S. \* \* \* v. John M. Smith, James I. Smith, and Robert E. Crain (Smith, Crain & Co.). Pleas of guilty. Fine, \$50 and costs. (F. & D. No. 8013, I. S. No. 10503-m.)

On March 19, 1917, the United States attorney for the Western District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against John M. Smith, James I. Smith, and Robert E. Crain, doing business as Smith, Crain & Co., Carmen, Okla., alleging shipment by said defendants, in violation of the Food and Drugs Act, on or about August 4, 1916, from the State of Oklahoma into the State of Kansas, of a quantity of shell eggs which were adulterated.

Examination of 1 case of 360 eggs by the Bureau of Chemistry of this department showed 113 inedible eggs, consisting of black rots, mixed rots, moldy eggs, and heavy blood rings.

Adulteration of the article was alleged in the information for the reason that it consisted in part of a filthy, decomposed, and putrid animal substance.

An April 4, 1917, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$50 and costs.

CARL VROOMAN, *Acting Secretary of Agriculture.*

5434. Misbranding of Temperine. U. S. \* \* \* v. 240 Cases \* \* \* of a Food Product. Default decree of condemnation, forfeiture, and destruction. Containers ordered sold. (F. & D. No. 8021. I. S. No. 12253-m. S. No. C-637.)

On January 26, 1917, the United States attorney for the Eastern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 240 cases, each containing 4 dozen bottles of a food product, consigned by A. M. Laevison & Co., Paducah, Ky., remaining unsold in the original unbroken packages at Harrisburg, Ill., alleging that the article had been shipped on or about January 24, 1917, and transported from the State of Kentucky into the State of Illinois, and charging misbranding in violation of the Food and Drugs Act. The article was labeled in part: "\* \* \* The Great Temperance Drink Contains less than  $\frac{1}{2}$  of 1% of alcohol Laevison's Original Temperine nonintoxicating \* \* \* A. M. Leavison & Co. Paducah, Ky."

Misbranding of the article was alleged in the libel for the reason that the statements on the label were false and misleading; and for the further reason that part of the bottles containing the article did not bear any statement of the quantity of the contents thereof. It was further alleged that the article consisted in part of alcohol in amounts ranging from 0.30 to 4.55 per cent.

On March 27, 1917, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal, and that the containers should be sold at public auction.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5435. Adulteration and misbranding of "Milk Chocolate Lunch Bars."**  
 U. S. \* \* \* v. Klein Chocolate Co., Inc., a corporation. Plea of nolo contendere. Fine, \$10. (F. & D. No. 8022. I. S. No. 4543-1.)

On March 3, 1917, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Klein Chocolate Co., Inc., a corporation, Elizabethtown, Pa., alleging shipment by said company, in violation of the Food and Drugs Act, on or about February 17, 1916, from the State of Pennsylvania into the State of West Virginia, of a quantity of an article labeled in part: "Milk Chocolate Lunch Bars \* \* \* This bar is a combination of Pure, Sweet Milk, Chocolate and High Grade Peanuts \* \* \*," which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Fat (per cent)-----	30.5
Butter-fat (per cent)-----	3.25
Sucrose (per cent)-----	54.0
Lactose (per cent)-----	3.3
Casein (per cent)-----	2.44
Milk solids, approximately (per cent)-----	9.8
Constants on fat:	
Saponification number-----	205.3
Reichert-Meissl number-----	3.00
Critical temperature of dissolution:	
True cacao butter (°C)-----	94.5
Fat of sample (°C)-----	70.0

Analysis shows the product to contain sugar and a fat or fats foreign to chocolate.

Adulteration of the article was alleged in the information for the reason that certain substances, to wit, sugar, and a fat or fats foreign to milk chocolate had been substituted in part for milk chocolate, which the article purported to be.

It was alleged in substance in the information that the article was misbranded for the reason that the statements regarding the article and the ingredients and substances contained therein, appearing on the box, to wit, "Milk Chocolate Lunch Bars," and on the label of the article, to wit, "This bar is a combination of pure, sweet milk, chocolate and high grade peanuts," were false and misleading and such as to deceive and mislead purchasers, in that they represented to purchasers that the article was a milk chocolate lunch bar, and was a milk chocolate, and was a combination of pure, sweet milk, chocolate, and high grade peanuts, whereas in truth and in fact it was not, but was a combination of chocolate, sugar, milk, and a certain fat or fats foreign to said substances. Misbranding was alleged for the further reason that the article was sold and offered for sale under the distinctive name of another article, to wit, milk chocolate, whereas in truth and in fact it was not, but was, to wit, an imitation milk chocolate consisting of sugar, chocolate, milk, and a fat or fats foreign to said substances.

On March 9, 1917, the defendant company entered a plea of nolo contendere to the information, and the court imposed a fine of \$10.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5436. Adulteration of canned tomatoes. U. S. \* \* \* v. 150 Cases of Canned Tomatoes. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 8037. I. S. No. 2190-m. S. No. E-799.)**

On January 26, 1917, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 150 cases of canned tomatoes, consigned by J. Langrall & Bro., Inc., Baltimore, Md., remaining unsold in the original unbroken packages at Butler, Pa., alleging that the article had been shipped on or about August 17, 1916, and October 13, 1916, and transported from the State of Maryland into the State of Pennsylvania, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Maryland Chief Tomatoes \* \* \* Packed by J. Langrall & Bro. Incorporated, Baltimore, Md."

Adulteration of the article was alleged in the libel for the reason that it contained 7 per cent of added water which had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted in part for said article.

On February 15, 1917, George Worrall, Butler, Pa., attorney in fact for the said J. Langrall & Bro., Inc., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be delivered to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$500, in conformity with section 10 of the act.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5437. Adulteration of tomato pulp. U. S. \* \* \* v. 320 Cases of Tomato Pulp. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 8038. I. S. Nos. 2045-m, 2046-m. S. No. E-800.)**

On January 25, 1917, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 320 cases of tomato pulp, remaining unsold in the original unbroken packages at Hoboken, N. J., alleging that the article had been shipped on or about November 20 and December 2, 1916, by the Mantik Packing Co., Baltimore, Md., and transported from the State of Maryland into the State of New Jersey, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Ruxton Brand (or Highland Square Brand) tomato pulp \* \* \*."

Adulteration of the article was alleged in substance in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance.

On March 27, 1917, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5438. Adulteration of oranges. U. S. \* \* \* v. 396 Boxes of Oranges. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 8040. I. S. No. 11056-m. S. No. C-638.)**

On January 29, 1917, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 396 boxes of oranges, remaining unsold in the original unbroken packages at Minneapolis, Minn., alleging that the article had been shipped on or about December 4, 1916, by H. J. Coughlin, Porterville, Cal., and transported from the State of California into the State of Minnesota, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a decomposed vegetable substance.

On March 6, 1917, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5439. Adulteration of shell eggs. U. S. \* \* \* v. Frank B. Frost. Plea of guilty. Fine, \$25 and costs.** (F. & D. No. 8041. I. S. No. 11205-m.)

On March 27, 1917, the United States attorney for the Northern District of Iowa, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Frank B. Frost, acting as manager of the Osage Produce Co., Osage, Iowa., alleging shipment by said defendant, in the name of said company, in violation of the Food and Drugs Act, on or about July 26, 1916, from the State of Iowa into the State of Illinois, of a quantity of shell eggs which were adulterated.

Examination of 12 dozen eggs from each of 9 cases by the Bureau of Chemistry of this department, showed 22.53 per cent inedible eggs.

Adulteration of the article was alleged in the information for the reason that it consisted in part of a filthy, decomposed, and putrid animal substance.

On April 25, 1917, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25 and costs.

*CARL VROOMAN, Acting Secretary of Agriculture.*

**5440. Adulteration of eggs. U. S. \* \* \* v. Joseph W. Whittier. Plea of guilty. Fine, \$50 and costs.** (F. & D. No. 8042. I. S. No. 10714-m.)

On March 19, 1917, the United States attorney for the Western District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Joseph W. Whittier, Oklahoma City, Okla., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about August 9, 1916, from the State of Oklahoma into the State of Kansas, of a quantity of eggs which were adulterated.

Examination of 1 case of 360 eggs by the Bureau of Chemistry of this department showed 36.7 per cent inedible eggs consisting of mixed rots, addled and stuck eggs, heavy blood rings, and green whites.

Adulteration of the article was alleged in the information for the reason that it consisted in part of a filthy, putrid, and decomposed animal substance.

On April 4, 1917, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$50 and costs.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5441. Adulteration and alleged misbranding of beans. U. S. \* \* \* v. 80 Cases of Beans. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 8044. I. S. No. 10752-m. S. No. W-161.)**

On January 30, 1917, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 80 cases of beans, consigned on December 29, 1916, by the Ridenour Baker Grocer Co., Kansas City, Mo., remaining unsold in the original unbroken packages at Sterling, Colo., alleging that the article had been shipped and transported from the State of Missouri into the State of Colorado, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled: "Gilt Edge Brand Baked Beans Packed by Union Packing Co. Omaha, Neb."

Adulteration of the article was alleged in the libel for the reason that it consisted in part of partly decomposed beans.

Misbranding was alleged for the reason that the statement on the label indicated and was calculated to make the purchasers thereof believe that said article was baked beans, whereas it was not, but had been cooked by another process.

On March 7, 1917, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, the court finding the product adulterated, and it was ordered that said product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

5442. **Adulteration of "Traveler Brand Beans."** U. S. \* \* \* v. William E. Cooke and Conrad H. Shanawolf (Cooke, Shanawolf Co.). **Pleas of nolo contendere.** Fine, \$15. (F. & D. No. 8051. I. S. Nos. 3773-k, 3774-k, 12398-k.)

On March 16, 1917, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against William E. Cooke and Conrad H. Shanawolf, trading as Cooke, Shanawolf Co., Baltimore, Md., alleging shipment by said defendants, in violation of the Food and Drugs Act, on or about March 6, 1915 (2 shipments), and February 23, 1915, from the State of Maryland into the State of Virginia, of quantities of an article labeled in part: "Traveler Brand Beans \* \* \* Packed by Cooke, Shanawolf Co., Baltimore, Md.," which were adulterated.

Analyses of samples of the article from each shipment by the Bureau of Chemistry of this department showed it to consist of partly decomposed beans.

Adulteration of the article in each shipment was alleged in the information for the reason that it consisted in part of a filthy, decomposed, and putrid vegetable substance.

On March 16, 1917, the defendants entered pleas of nolo contendere to the information, and the court imposed a fine of \$15.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5443. Misbranding of Temperine. U. S. \* \* \* v. 25 Cases \* \* \* of a Food Product. Default decree of condemnation, forfeiture, and destruction. Containers ordered sold. (F. & D. No. 8054. I. S. No. 12226-m. S. No. C-641.)**

On February 2, 1917, the United States attorney for the Eastern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 25 cases, each containing 4 dozen bottles of a food product, consigned by A. M. Laevison & Co., Paducah, Ky., remaining unsold in the original unbroken packages at Harrisburg, Ill., alleging that the article had been shipped on or about January 25, 1916, and transported from the State of Kentucky into the State of Illinois, and charging misbranding in violation of the Food and Drugs Act. The article was labeled in part: "The great Temperance Drink Contains less than  $\frac{1}{2}$  of 1% of Alcohol Laevison's Original Temperine. Non-intoxicating. \* \* \*."

Misbranding of the article was alleged in the libel for the reason that the statements appearing on the labels of the bottles were false and misleading. It was further alleged that the article consisted in part of alcohol in amounts ranging from 3.64 to 4.24 per cent.

On March 27, 1917, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal, and that the containers should be sold at public auction.

*\*CARL VROOMAN, Acting Secretary of Agriculture.*

**5444. Adulteration and misbranding of cottonseed meal. U. S. \* \* \* v. Cottonseed Products Co., a corporation (Roff Oil & Cotton Co.). Plea of guilty. Fine, \$55. (F. & D. No. 8062. I. S. Nos. 19957-1, 16065-1.)**

On April 5, 1917, the United States attorney for the Eastern District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Cottonseed Products Co., a corporation, Roff, Okla., alleging shipment by said company in the name and style of the Roff Oil & Cotton Co., on or about March 15, 1916, and March 9, 1916, from the State of Oklahoma into the State of Iowa, of quantities of an article labeled in part: "Dixie Brand Cotton Seed Meal," which was adulterated and misbranded in violation of the Food and Drugs Act.

Analyses of samples of the article by the Bureau of Chemistry of this department showed, respectively, the following results:

	No. 1.	No. 2.
Crude fiber (per cent)-----	14.59	14.60
Protein (per cent)-----	35.63	33.44

The above analysis shows the product to be low in protein and high in fiber.

Adulteration of the article in each shipment was alleged in the information for the reason that a product, to wit, cottonseed meal containing less than 38.62 to 43 per cent of protein and more than 8 to 12 per cent of fiber, had been substituted in whole or in part for cottonseed meal containing 38.62 to 43 per cent of protein and 8 to 12 per cent of fiber, which the article purported to be.

Misbranding was alleged for the reason that the following statements regarding the article and the ingredients and substances contained therein appearing on the labels, to wit, "Guaranteed Analyses \* \* \* Protein 38.62 to 43%, crude fibre 8 to 12%," were false and misleading in that they represented to purchasers that it contained not less than 38.62 per cent of protein and not more than 12 per cent of fiber; and for the further reason that it was labeled as aforesaid so as to deceive and mislead purchasers into the belief that it contained not less than 38.62 per cent of protein and not more than 12 per cent of fiber, whereas, in truth and in fact, it contained less than 38.62 per cent of protein and more than 12 per cent of fiber.

On May 14, 1917, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$55.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5445. Adulteration of tomato sauce. U. S. \* \* \* v. William H. Valliant (W. H. Valliant & Bro.). Plea of nolo contendere. Fine, \$35. (F. & D. No. 8067. I. S. No. 1818-m.)**

On March 16, 1917, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against William H. Valliant, doing business as W. H. Valliant & Bro., Bellevue, Md., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about October 4, 1916, from the State of Maryland into the State of New York, of a quantity of an article labeled in part: "Tomato Sauce Serto Brand," which was adulterated.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the product was made from decomposed tomatoes.

Adulteration of the article was alleged in the information for the reason that it consisted in part of a filthy, decomposed, and putrid vegetable substance.

On March 16, 1917, the defendant entered a plea of nolo contendere to the information, and the court imposed a fine of \$35.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5446. Adulteration and misbranding of beans. U. S. \* \* \* v. 50 Cases \* \* \* of Baked Beans. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 8071. I. S. No. 11058-m. S. No. C-648.)

On February 13, 1917, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 50 cases of baked beans, remaining unsold in the original unbroken packages at Minneapolis, Minn., alleging that the article had been shipped on or about January 13, 1917, by the Union Packing Co., Omaha, Nebr., and transported from the State of Nebraska into the State of Minnesota, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Plow Boy Brand Baked Beans With Tomato Sauce Packed by Union Packing Company, Omaha, Nebr. \* \* \*."

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a decomposed vegetable substance.

Misbranding was alleged for the reason that the statement, to wit, "Baked Beans," was false and misleading and deceived and misled the purchasers, an examination having shown that the article was not baked beans, but beans cooked by another process.

On March 24, 1917, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5447. Adulteration and misbranding of baked beans. U. S. \* \* \* v. 50 Cases \* \* \* of Baked Beans. Default decree of condemnation and forfeiture. Product ordered sold. (F. & D. No. 8072. I. S. No. 11059-m. S. No. C-650.)**

On February 10, 1917, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 50 cases of baked beans, remaining unsold in the original unbroken packages at St. Paul, Minn., alleging that the article had been shipped on or about January 20, 1917, by the Union Packing Co., Omaha, Nebr., and transported from the State of Nebraska into the State of Minnesota, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Sunset Brand Baked Beans with tomato sauce Packed by the Union Packing Company, Omaha, Nebraska \* \* \*."

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a decomposed vegetable substance.

Misbranding was alleged for the reason that the statement, to wit, "Baked Beans," was false and misleading and deceived and misled the purchaser, an examination having shown that the product was not baked beans, but beans cooked by another process.

On April 2, 1917, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be sold by the United States marshal and that the purchaser should furnish a good and sufficient bond, conditioned in part that said beans would not be used for human consumption.

CARL VROOMAN, *Acting Secretary of Agriculture.*

5418. Misbranding of ginger ale. U. S. \* \* \* v. John H. Schlueter (Northwestern Bottling Works). Plea of guilty. Fine, \$40. (F. & D. No. 8074. I. S. No. 3315-m.)

On May 16, 1917, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the police court of said District an information against John H. Schlueter, trading as the Northwestern Bottling Works, Washington, D. C., alleging the sale by said defendant at the District aforesaid, in violation of the Food and Drugs Act as amended on October 26, 1916, of a quantity of an article labeled in part: "Ginger Ale Bottled by Northwestern Bottling Works, 1601 Fifth St. N. W., Washington, D. C.," which was misbranded.

Analysis of samples of the article by the Bureau of Chemistry of this department showed the following results:

Bottle 1	7.64 fluid ounces, 4.5 per cent short.
Bottle 2	6.86 fluid ounces, 14.2 per cent short.
Bottle 3	6.83 fluid ounces, 14.6 per cent short.

The average shortage being 11.1 per cent.

Misbranding of the article was alleged in the information for the reason that the statement regarding the article, borne on the label, to wit, "Contains 8. Fld. Ozs.," was false and misleading in that it represented that the bottle contained 8 fluid [ounces] of the article; and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchasers into the belief that said bottle contained 8 fluid ounces of the article, when, in truth and in fact, said bottle did not, but contained a less amount. Misbranding was alleged for the further reason that the article consisted of food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On May 16, 1917, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$40.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5449. Adulteration and misbranding of tincture of iodin. U. S. \* \* \***  
**v. Domingo Peraza. Plea of guilty. Fine, \$12.50 and costs.**  
 (F. & D. No. 8079. I. S. No. 5015-m.)

On March 27, 1917, the United States attorney for the District of Porto Rico, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Domingo Peraza, San Juan, P. R., alleging the sale by said defendant, in violation of the Food and Drugs Act, on or about October 12, 1916, of a quantity of an article labeled in part: "Tintura de Iodo," which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Alcohol (per cent by volume)-----	87.7
Iodin (grams per 100 cc)-----	6.13
Residue on evaporation as potassium iodid (grams per 100 cc)-----	2.82

Adulteration of the article was alleged in the information for the reason that it was sold under and by a name recognized in the United States Pharmacopœia, official at the time of the investigation of said article, and differed from the standard of strength, quality, and purity, as determined by the test as laid down in the said Pharmacopœia, which requires 100 milliliters of the said article to contain not less than 6.5 grams of iodin and not less than 4.5 grams of potassium iodid, whereas 100 milliliters of said article contained less amounts of both iodin and potassium iodid, to wit, 6.13 grams of iodin and 2.82 grams of potassium iodid.

Misbranding of the article was alleged for the reason that the package containing it failed to bear a statement on its label of the quantity or proportion of alcohol contained therein.

On April 2, 1917, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$12.50 and costs.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5450. Misbranding of "Owl Brand \* \* \* High-Grade Cotton Seed Meal."**  
 U. S. \* \* \* v. Choctaw Cotton Oil Co., a corporation. Plea of guilty. Fine, \$50 and costs. (F. & D. No. 8080. I. S. No. 16053-1.)

On April 4, 1917, the United States attorney for the Western District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Choctaw Cotton Oil Co., a corporation, doing business at Shawnee, Okla., alleging shipment by said company, in violation of the Food and Drugs Act, on or about April 4, 1916, from the State of Oklahoma into the State of Iowa, of a quantity of an article labeled in part: "Owl Brand \* \* \* High-Grade Cotton Seed Meal," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Crude fiber (per cent)-----	12.7
Crude protein (per cent)-----	37.7

This product contains less protein and more fiber than it was labeled to contain.

Misbranding of the article was alleged in the information for the reason that the statements appearing on the label, to wit, "High Grade Cotton Seed Meal \* \* \* Protein 41% \* \* \* Fibre, Maximum 10% These are minimum guarantees. Frequently runs higher," regarding the article and the ingredients and substances contained therein, were false and misleading in that they represented to purchasers that the article was a high grade cottonseed meal and contained not less than 41 per cent of protein and not more than 10 per cent of fiber; and for the further reason that it was labeled as aforesaid so as to deceive and mislead purchasers into the belief that it was high grade cottonseed meal and contained not less than 41 per cent of protein and not more than 10 per cent of fiber, whereas, in truth and in fact, said article was not a high grade cottonseed meal, and did not contain 41 per cent of protein, but did contain a less quantity of protein, and did not contain 10 per cent of fiber or less, but did contain a greater quantity of fiber.

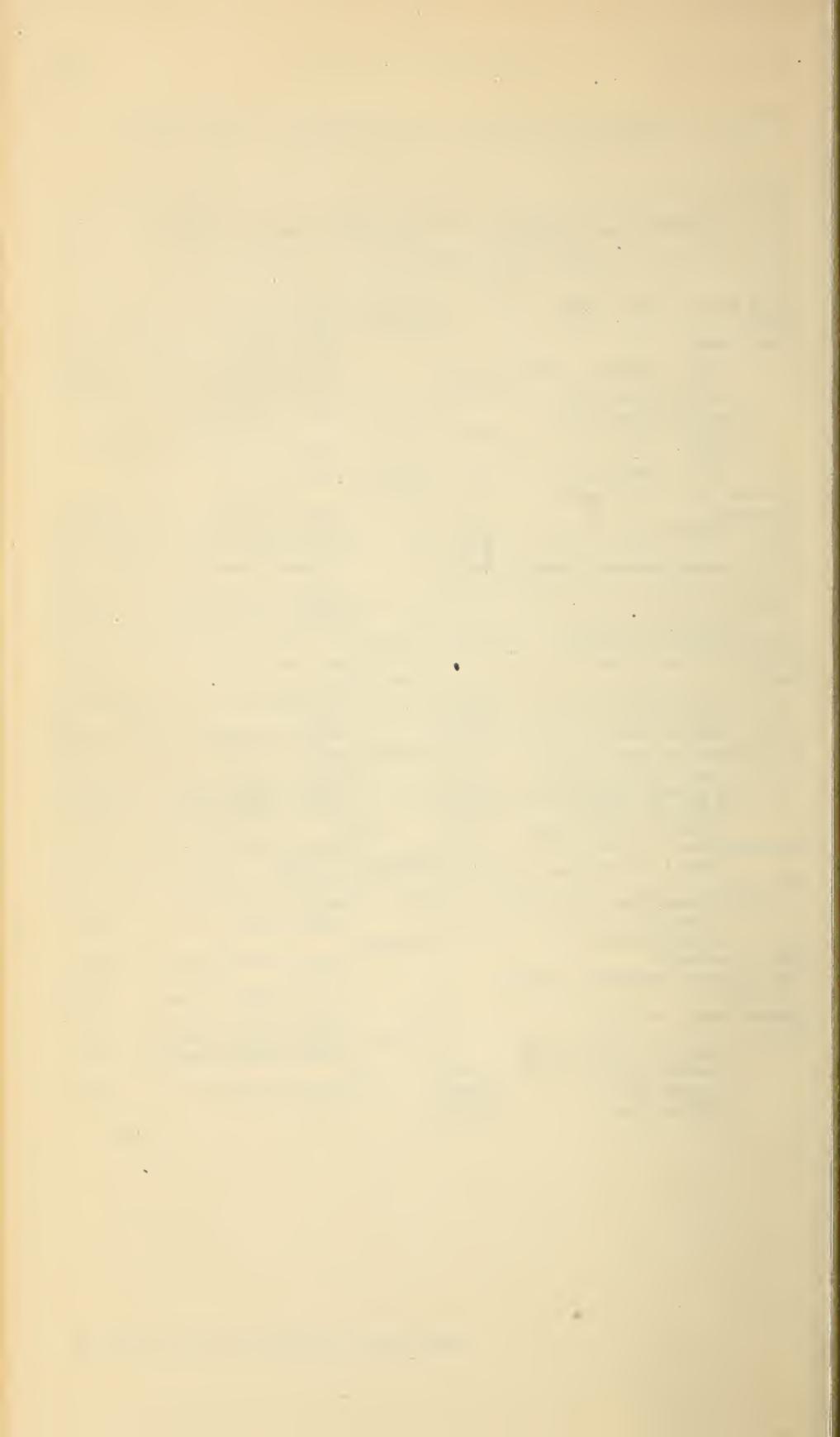
On April 4, 1917, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$50 and costs.

CARL VROOMAN, *Acting Secretary of Agriculture.*

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## United States Department of Agriculture,

BUREAU OF CHEMISTRY.

C. L. ALSBERG, CHIEF OF BUREAU.

SERVICE AND REGULATORY ANNOUNCEMENTS.  
SUPPLEMENT.

N. J. 5451-5500.

[Approved by the Acting Secretary of Agriculture, Wahington, D. C., March 5, 1918.]

## NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT.

[Given pursuant to section 4 of the Food and Drugs Act.]

**5451. Adulteration and misbranding of "Sciroppe Tamarindo." U. S. \* \* \* v. Antonio Luccaro, Rafael Puziello, and John Puziello (Puziello, Luccaro & Co.). Pleas of guilty. Fine, \$50. (F. & D. No. 8085. I. S. No. 3885-1.)**

On April 9, 1917, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Antonio Luccaro, Rafael Puziello, and John Puziello, trading as Puziello, Luccaro & Co., Brooklyn, N. Y., alleging shipment by said defendants, in violation of the Food and Drugs Act, on May 26, 1916, from the State of New York into the State of Massachusetts, of a quantity of an article labeled in part: "Sciroppe Tamarindo," made and bottled by Puziello, Luccaro & Co., Brooklyn, New York. \* \* \*, which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Tartaric acid: None.

Citric acid: Present.

Caramel: Present.

Phosphoric acid ( $P_2O_5$ ) in ash (mg. per 100 grams)----- 1.64

The absence of tartaric acid, the deficiency of phosphoric acid, and the presence of caramel indicate that this product is not true tamarind sirup.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, an imitation tamarind sirup, consisting largely of sugar sirup and citric acid, and colored with caramel, had been substituted in whole or in part for sirup of tamarind, which the article purported to be.

Misbranding was alleged for the reason that the statement, to wit, "Sciroppe Tamarindo," borne on the label attached to the bottle containing the article,

regarding said article and the ingredients and substances contained therein, was false and misleading in that it indicated that said article was true sirup of tamarind; for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was true sirup of tamarind, whereas, in truth and in fact, it was not, but was, to wit, a mixture prepared in imitation of true sirup of tamarind, consisting largely of sugar sirup and citric acid, and colored with caramel; and for the further reason that it was a mixture prepared in imitation of true sirup of tamarind, consisting largely of sugar sirup and citric acid and colored with caramel, and was offered for sale and sold under the distinctive name of another article, to wit, "Sciroppe Tamarindo."

On April 23, 1917, the defendants entered pleas of guilty to the information and the court imposed a fine of \$50.

CLARENCE OUSLEY, *Acting Secretary of Agriculture.*

**5452. Adulteration of oranges. U. S. \* \* \* v. 396 Boxes of Oranges.  
Default decree of condemnation, forfeiture, and destruction.  
(F. & D. No. 8087. I. S. No. 22302-m. S. No. W-166.)**

On or about February 21, 1917, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 396 boxes of oranges, labeled in part: "\* \* \* Packed and Shipped by C. E. Norris & E. F. Schrei, Lindsay, Tulare Co., Cal.," consigned by the National Fruit Exchange, Lindsay, Cal., on February 10, 1917, remaining unsold in the original unbroken packages at Trinidad, Colo., alleging that the article had been shipped and transported from the State of California into the State of Colorado, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that said oranges were decomposed, that is to say, had been frosted, and as a result of such frosting their tissues showed disintegration, they were bitter, had commenced to rot and decay, were light in weight, and contained little juice.

On April 11, 1917, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CLARENCE OUSLEY, *Acting Secretary of Agriculture.*

**5453. Misbranding of "Royal Baby's Safety."** U. S. \* \* \* v. Koloman Kovacs (Royal Manufacturing Co.). Plea of *nolo contendere*. Fine, \$50 and costs. (F. & D. No. 8102. I. S. Nos. 1001-m, 9452-k.)

On April 2, 1917, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Koloman Kovacs, trading as the Royal Manufacturing Co., Duquesne, Pa., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about April 15, 1916, and July 8, 1916, from the State of Pennsylvania into the State of New Jersey, of quantities of an article labeled in part, "Royal Baby's Safety," which was misbranded.

Analyses of samples of the article in each shipment by the Bureau of Chemistry of this department showed that it consisted of a solution containing, among other substances, approximately  $\frac{1}{8}$  grain morphine sulphate per fluid ounce; also alcohol, sugar, Rochelle salts, emodin, volatile oil, and vegetable extractives; santonin indicated.

Misbranding of the article in each shipment was alleged in the information for the reason that the statement, to wit, "Baby's Safety," borne on the label thereof regarding the article and the ingredients and substances contained therein was false and misleading in that it represented that said article was a medicine which could be administered to babies with safety, whereas, in truth and in fact, it was an article which contained morphine sulphate, a drug harmful to children, and which could not be administered to babies with safety. It was charged in substance that the article was misbranded further in that certain statements appearing on its labels falsely and fraudulently represented it as a treatment and remedy for colic, wind colic, cholera infantum, teething trouble, cramps of the intestines, vomiting, diarrhea, and diseases of small children, when, in truth and in fact, it was not.

On April 12, 1917, the defendant entered a plea of *nolo contendere* to the information, and the court imposed a fine of \$50 and costs.

CLARENCE OUSLEY, *Acting Secretary of Agriculture.*

**5454. Adulteration of tomato pulp. U. S. \* \* \* v. 25 Cases of Tomato Pulp. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 8107. I. S. Nos. 2047-m, 2049-m. S. No. E-808.)**

On February 23, 1917, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 25 cases of tomato pulp, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped on or about February 15, 1917, by the Cooke, Shanawolf Co., Baltimore, Md., and transported from the State of Maryland into the State of New York, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Highland Square Brand Tomato Pulp \* \* \* Packed by Cooke, Shanawolf Co. Baltimore, Md."

Adulteration of the article was alleged in substance in the libel for the reason that it consisted in particular, wholly or in part, of a decomposed vegetable substance.

On March 13, 1917, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CLARENCE OUSLEY, *Acting Secretary of Agriculture.*

**5455. Adulteration of baked beans. U. S. \* \* \* v. 110 Cases \* \* \* of Baked Beans. Default decree of condemnation and forfeiture. Product ordered sold. (F. & D. No. 8111. I. S. No. 11062-m. S. No. C-655.)**

On February 24, 1917, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 110 cases of baked beans, remaining unsold in the original unbroken packages at St. Paul, Minn., alleging that the article had been shipped on or about February 2, 1917, by the Union Packing Co., Omaha, Nebr., and transported from the State of Nebraska into the State of Minnesota, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Dependable Brand Baked Beans with Tomato Sauce \* \* \* Packed by Union Packing Co., Omaha, Neb. \* \* \*."

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a decomposed vegetable substance.

On April 2, 1917, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be sold by the United States marshal, and that the purchaser should furnish a good and sufficient bond, conditioned in part that said beans should not be used for human consumption.

CLARENCE OUSLEY, *Acting Secretary of Agriculture.*

**5456. Misbranding of cottonseed meal and cottonseed meal or cake.** U. S. \* \* \* v. Tecumseh Oil & Cotton Co., a corporation. Plea of guilty. Fine, \$275 and costs. (F. & D. No. 8112. I. S. Nos. 19864-1, 19866-1, 19867-1, 19868-1, 19873-1, 19953-1, 19956-1.)

On April 24, 1917, the United States attorney for the Western District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Tecumseh Oil & Cotton Co., a corporation, doing business at Tecumseh, Okla., alleging shipment by said company, in violation of the Food and Drugs Act, from the State of Oklahoma into the State of Iowa, on or about January 3, 1916, February 23, 1916, December 20, 1915, and January 27, 1916, of quantities of Imperial Cotto-Brand-Choice cottonseed meal, and on February 23, 1916 (2 shipments), and December 7, 1915, of quantities of cottonseed meal or cake, all of which was misbranded.

Analyses of samples of the articles by the Bureau of Chemistry of this department showed, respectively, the following results:

	1	2	3	4	5	6	7
Ether extract (crude fat) (per cent).....	6.0						
Crude fiber (per cent).....	11.6	14.5	11.6	12.2	14.4	14.6	13.9
Crude protein (N. $\times$ 6.25) (per cent).....	36.1	33.3	36.8	35.4	33.8	33.1	32.8

No. 1 contains less fat, less protein, and more crude fiber than labeled to contain.

Nos. 2, 3, 4, 5, 6, and 7 contain less protein and more crude fiber than labeled to contain.

Misbranding of the article in the shipment of January 3, 1916, was alleged in the information for the reason that the statements regarding said article and the ingredients and substances contained therein appearing on the label, to wit, "Choice cotton seed meal guaranteed analysis not less than \* \* \* protein 41.00% to 45% Crude Fat, 8 per cent Crude Fibre (Maximum) 9.00%," were false and misleading in that they represented to purchasers that the article was a choice cottonseed meal and contained not less than 41 per cent of protein, not less than 8 per cent of crude fat, and not more than 9 per cent of crude fiber; and for the further reason that it was labeled as aforesaid so as to deceive and mislead purchasers into the belief that it was a choice cottonseed meal and contained not less than 41 per cent of protein, not less than 8 per cent of crude fat, and not more than 9 per cent of crude fiber, whereas, in truth and in fact, it was not a choice cottonseed meal, and did not contain 41 per cent of protein, but contained a less amount thereof, and did not contain 8 per cent of crude fat, but contained a less amount thereof, and contained a greater amount of crude fiber than 9 per cent of said article.

It was alleged in substance that the articles in the remaining shipments were misbranded for the reason that the statements regarding the articles and the ingredients and substances contained therein appearing on the labels, to wit: (in the case of one shipment) "Guaranteed analysis. Protein 40% Crude Fibre 10½%;" (in the case of another shipment) "Guaranteed analysis. \* \* \* Protein 41 to 43% \* \* \* Crude Fibre 10½%;" (in the case of another shipment) "Protein 41.00% to 45.00% \* \* \* Crude Fibre, (Maximum) 9.00%;" (in the case of another shipment) "Guaranteed Analysis Protein 41 to 43% \* \* \* Crude Fibre 10½%;" (in the case of another shipment) "\* \* \* Choice Cotton Seed Meal \* \* \* Guaranteed Analysis: Not less than \* \* \* Protein, 41.00% to 45.00% \* \* \* Crude Fibre (Maximum)

9.00"; (in the case of another shipment) " \* \* \* Choice Cotton Seed Meal \* \* \* Guaranteed Analysis: Not less than \* \* \* Protein 41.00% to 45.00% \* \* \* Crude Fibre, (Maximum) 9.00%," were false and misleading in that said statements represented to purchasers that the articles contained, respectively, not less than the minimum percentages of protein named and not more than the percentages of crude fiber named; and for the further reason that said articles were labeled as aforesaid so as to deceive and mislead the purchaser into the belief that they contained in each case not less than the minimum percentages of protein named and not more than the percentages of crude fiber named, whereas, in truth and in fact, in each case the article did not contain the minimum percentages of protein named, but contained a less quantity of protein and did not contain the percentages named, or less, of crude fiber, but contained a greater quantity of crude fiber.

On May 9, 1917, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$275 and costs.

CLARENCE OUSLEY, *Acting Secretary of Agriculture.*

**5457. Adulteration of oranges. U. S. \* \* \* v. 25 Boxes of Oranges.  
Default decree of condemnation, forfeiture, and destruction.  
(F. & D. No. 8113. I. S. No. 22301-m. S. No. W-167.)**

On or about February 24, 1917, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 25 boxes of oranges, labeled in part: "\* \* \* Redlands Orangedale Groves, Inc., Redlands, California," consigned on December 16, 1916, by the Mutual Orange Distributors, Redlands, Cal., remaining unsold in the original unbroken packages at Pueblo, Colo., alleging that the article had been shipped and transported from the State of California into the State of Colorado, and charging adulteration in violation of the Food and Drugs Act.

It was alleged in substance in the libel that the article was adulterated for the reason that it consisted in part of a decomposed vegetable substance; that is to say, said oranges had been frosted, and as a result of such frosting their tissues showed disintegration; they were bitter, had commenced to rot and decay, were light in weight, and contained little juice.

On April 16, 1917, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CLARENCE OUSLEY, *Acting Secretary of Agriculture.*

36279°18—2

**5458. Misbranding of macaroni. U. S. \* \* \* v. Giacomo Foti. Plea of guilty. Fine, \$25. (F. & D. No. S117. I. S. No. 702-l.)**

On March 24, 1917, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Giacomo Foti, Philadelphia, Pa., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about June 2, 1916, from the State of Pennsylvania into the State of Maryland, of a quantity of an article labeled in part, "Primaria Pastificio Qualita Extra Fina Felice Luna Macaroni Torre Annunziata," which was misbranded.

Investigation by the Bureau of Chemistry of this department showed that the article was of domestic manufacture.

Misbranding of the article was alleged in substance in the information for the reason that the statement, to wit, "Primario Pastificio Qualita Extra Fina Felice Luna Macaroni Torre Annunziata," together with the design and device of a moon face and stars, were false and misleading in that they represented and purported that the article was a foreign product, to wit, a macaroni produced in the Kingdom of Italy; and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was a foreign product, to wit, a macaroni produced in the Kingdom of Italy, whereas, in truth and in fact, it was not, but was a domestic product, to wit, a macaroni produced in the United States of America.

On April 4, 1917, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25.

CLARENCE OUSLEY, *Acting Secretary of Agriculture.*

**5459. Adulteration of oranges. U. S. \* \* \* v. 100 Boxes of Oranges.**  
**Default decree of condemnation, forfeiture, and destruction.**  
(F. & D. No. 8118. I. S. No. 22303-m. S. No. W-168.)

On or about February 27, 1917, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 100 boxes of oranges, labeled in part: "\* \* \* Packed & shipped by C. E. Norris & E. F. Schrei, Lindsay, Tulare Co., Cal." consigned on January 29, 1917, by the National Fruit Exchange, Lindsay, Cal., remaining unsold in the original unbroken packages at Trinidad, Colo., alleging that the article had been shipped and transported from the State of California into the State of Colorado, and charging adulteration in violation of the Food and Drugs Act.

It was charged in substance in the libel that the article was adulterated for the reason that it consisted in part of a decomposed vegetable substance; that is to say, said oranges had been frosted, and as a result of such frosting their tissues showed disintegration, they were bitter, had commenced to rot and decay, were light in weight, and contained little juice.

On April 16, 1917, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CLARENCE OUSLEY, *Acting Secretary of Agriculture.*

5460. **Adulteration of oysters.** U. S. \* \* \* v. **Thomas A. Sears and John H. Sears (Sears Bros.).** Plea of guilty as to one defendant. Fine, \$10. Nolle prosequi entered as to other defendant. (F. & D. No. 8121. I. S. No. 1069-m.)

On May 1, 1917, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the police court of the said District an information against Thomas A. Sears and John H. Sears, doing business as Sears Bros., Washington, D. C., alleging the sale by said defendants, at the District aforesaid, in violation of the Food and Drugs Act, on November 23, 1916, of a quantity of oysters which were adulterated.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed it to contain at least 20 per cent of added water.

Adulteration of the article was alleged in the information for the reason that a certain substance, to wit, water, had been substituted in part for oysters and oyster liquor, which the article purpórted to be, and had been mixed and packed therewith so as to reduce or lower and injuriously affect its quality and strength.

On May 1, 1917, the defendant, Thomas A. Sears, entered a plea of guilty to the information, and the court imposed a fine of \$10. A nolle prosequi was entered as to John H. Sears.

CLARENCE OUSLEY, *Acting Secretary of Agriculture.*

**5461. Adulteration of tomato pulp. U. S. \* \* \* v. 99 Cases of Tomato Pulp. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 8122. I. S. No. 2048-m. S. No. E-809.)**

On February 27, 1917, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 99 cases of tomato pulp, labeled in part: "Highland Square Brand Tomato Pulp \* \* \*. Packed by Cooke Shanawolf Co., Baltimore, Md." remaining unsold in the original unbroken packages at Jersey City, N. J., alleging that the article had been shipped on February 8, 1917, by Cooke, Shanawolf Co., Baltimore, Md., and transported from the State of Maryland into the State of New Jersey, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in substance in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance.

On May 16, 1917, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CLARENCE OUSLEY, *Acting Secretary of Agriculture.*

**5462. Adulteration of oranges. U. S. \* \* \* v. 310 Boxes of Oranges. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 8125. I. S. No. 2131-m. S. No. E-810.)**

On February 27, 1917, the United States attorney for the Western District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 310 boxes of oranges, remaining unsold in the original unbroken packages at Buffalo, N. Y., alleging that the article had been shipped on February 15, 1917, by Alexander & Baird, Beresford, Fla., and transported from the State of Florida into the State of New York, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that from 52 to 87 per cent of the oranges had been frosted, and so rendered unfit for human consumption.

On March 2, 1917, John C. Kendrick and Leonard H. Johnson, Buffalo, N. Y., claimants, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be delivered to said claimants, upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$500, in conformity with section 10 of the act.

CLARENCE OUSLEY, *Acting Secretary of Agriculture.*

**5463. Adulteration of oranges. U. S. \* \* \* v. 336 Cases \* \* \* and 52 Cases of Oranges \* \* \*. Default decree of condemnation and forfeiture. Portion of product ordered sold. Balance ordered destroyed. (F. & D. No. 8126. I. S. No. 10857-m. S. No. C-659.)**

On February 27, 1917, the United States attorney for the Eastern District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 336 cases of oranges labeled, "Lindsay's Best," and 52 cases of oranges labeled, "Lindsay's Choice," remaining unsold in the original unbroken packages at Detroit, Mich., alleging that the article had been shipped on February 5, 1917, by the National Fruit Exchange, Lindsay, Cal., and transported from the State of California into the State of Michigan, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in substance in the libel for the reason that it consisted in whole or in part of decomposed vegetable substance.

On March 12, 1917, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be sorted with the cooperation of a representative of this department and the Michigan Dairy and Food Commission, the unfit portion to be destroyed by the United States marshall, and the good and marketable portion to be sold by the said marshal.

CLARENCE OUSLEY, *Acting Secretary of Agriculture.*

**5464. Adulteration and misbranding of "Lucca Cream Salad Olive Oil."**  
 U. S. \* \* \* v. **Bernard Karp.** Plea of guilty. Fine, \$20. (F. & D. No. 8127. I. S. No. 3892-L.)

On April 27, 1917, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Bernard Karp, New York, N. Y., alleging shipment by said defendant, in violation of the Food and Drugs Act, on May 4, 1916, from the State of New York into the State of Massachusetts, of a quantity of an article labeled in part, "Lucca Cream Salad Olive Oil," which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Appearance: Slightly cloudy, strongly greenish color.

Odor: Somewhat peculiar, sourish in character.

Taste: Strongly burning after-sensation in back of throat.

Free acids as oleic (per cent)----- 17.6

The abnormal odor and taste, and the high percentage of free acids, indicating a considerable degree of decomposition of the olive oil glycerides, denote a very inferior grade of olive oil.

Adulteration of the article was alleged in the information for the reason that it consisted in part of a filthy, decomposed, and putrid vegetable substance.

Misbranding was alleged for the reason that the statement appearing on the label concerning the article and the ingredients and substances contained therein, to-wit, "Guaranteed Strictly Pure—Olio D'Oliva di Lucca Sopraffino Extra Garantito," was false and misleading in that it represented to purchasers that said article was a pure olive oil of high grade; and for the further reason that it was labeled as aforesaid so as to deceive and mislead purchasers into the belief that it was a pure olive oil of high grade, whereas, in fact and in truth, it was not, but was an olive oil consisting in part of a filthy, decomposed, and putrid vegetable substance.

On May 2, 1917, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$20.

CLARENCE OUSLEY, *Acting Secretary of Agriculture.*

**5465. Adulteration of olives. U. S. \* \* \* v. Socrates Moscahlades and Stylianos Moscahlades (Moscahlades Bros.). Pleas of guilty. Fine, \$25. (F. & D. No. 8130. I. S. Nos. 12915-1, 12916-1, 12917-1.)**

On April 19, 1917, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Socrates Moscahlades and Stylianos Moscahlades, trading as Moscahlades Bros., New York, N. Y., alleging shipment by said defendants, in violation of the Food and Drugs Act; on April 19, 1916, April 1, 1916, and April 8, 1916, from the State of New York into the State of Michigan, of quantities of olives which were adulterated. The article was labeled in part: "Apollo Brand."

Analysis of samples of the article from each shipment by the Bureau of Chemistry of this department showed 57 per cent, 66 per cent, and 85 per cent, respectively, of wormy, worm-eaten, and moldy olives, indicating that the product was filthy and decomposed.

Adulteration of the article in each shipment was alleged in the information for the reason that it consisted in part of a filthy, putrid, and decomposed vegetable substance.

On May 31, 1917, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$25.

CLARENCE OUSLEY, *Acting Secretary of Agriculture.*

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5166. **Adulteration of oranges, U. S. \* \* \* v. 371 Cases \* \* \* and 25 Cases of Oranges, \* \* \* Default decree of condemnation and forfeiture. Good portion of product ordered sold. Balance ordered destroyed.** (F. & D. No. 8136. I. S. No. 10856-m. S. No. C-663.)

On February 28, 1917, the United States attorney for the Eastern District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 371 cases of oranges labeled, "Lindsay's Best," and 25 cases of oranges labeled, "Lindsay's Choice," remaining unsold in the original unbroken packages at Detroit, Mich., alleging that the article had been shipped on February 5, 1917, by the National Fruit Exchange, Lindsay, Cal., and transported from the State of California into the State of Michigan, and charging adulteration in violation of the Food and Drug Act.

Adulteration of the article was alleged in substance in the libel for the reason that it consisted in whole and [or] in part of a decomposed vegetable substance.

On March 13, 1917, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be sorted, with the cooperation of a representative of this department and the Michigan Dairy & Food Commission, and that the portion of the product found unfit for food should be destroyed by the United States marshal and the good and marketable portion sold by said marshal.

**CLARENCE OUSLEY, Acting Secretary of Agriculture.**

**5467. Adulteration of scallops. U. S. \* \* \* v. 5 Containers of Scallops.  
Default decree of condemnation, forfeiture, and destruction.  
(F. & D. No. 8137. I. S. No. 2850-m. S. No. E-806.)**

On February 6, 1917, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel of information praying the seizure and condemnation of 5 containers of scallops, consigned on or about January 31, 1917, remaining unsold in the original unbroken packages at Boston, Mass., alleging that the articles had been shipped by the Carteret Fish Co., Morehead City, N. C., and transported from the State of North Carolina into the State of Massachusetts, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel of information for the reason that a substance, to wit, added water, had been mixed and packed with the article, so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted in part for said article.

On March 6, 1917, proclamation having been made and default noted, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CLARENCE OUSLEY, *Acting Secretary of Agriculture.*

**5468. Adulteration of oysters. U. S. \* \* \* v. Charles H. Weser. Collateral of \$20 forfeited.** (F. & D. No. 8140. I. S. No. 3818-m.)

On April 5, 1917, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the police court of said District an information against Charles H. Weser, Washington, D. C., alleging the sale by the said defendant, at the District aforesaid, in violation of the Food and Drugs Act, on January 11, 1917, of a quantity of oysters which were adulterated.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Free liquor (per cent)-----	32
Oysters (per cent)-----	68

*Analysis of oyster meat.*

Solids (per cent)-----	12.6
Ash (per cent)-----	0.75
Sodium chlorid (per cent)-----	0.03
Loss on boiling (per cent)-----	61

*Analysis of oyster liquor.*

Solids (per cent)-----	1.39
Ash (per cent)-----	0.30
Sodium chlorid (per cent)-----	0.18
Solids on entire sample (per cent)-----	9.02

Results of analysis show that a substantial amount of water had been mixed and packed with the oysters.

Adulteration of the article was alleged in the information for the reason that a certain substance, to wit, water, had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and had been substituted in part for shucked oysters, which the article purported to be.

On April 5, 1917, the case having come on for disposition, and the defendant having failed to appear, his collateral in the sum of \$20 was forfeited.

CLARENCE OUSLEY, *Acting Secretary of Agriculture.*

**5469. Adulteration of grapefruit and oranges. U. S. \* \* \* v. 267 Cases of Grapefruit and 33 Cases of Oranges. Good portion of product ordered released. Unfit portion ordered destroyed. (F. & D. No. 8144. I. S. Nos. 11255-m, 11256-m. S. No. C-666.)**

On March 2, 1917, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 267 cases of grapefruit and 33 cases of oranges, labeled in part, “\* \* \* H. C. Schrader Co. \* \* \* Orlando, Florida,” remaining unsold in the original unbroken packages at St. Louis, Mo., alleging that the articles had been shipped on or about February 21, 1916, by the H. C. Schrader Co., Bowling Green, Fla., and transported from the State of Florida into the State of Missouri, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the articles was alleged in the libel for the reason that they consisted in part of a decomposed vegetable substance.

On March 14, 1917, the Lagomarcino-Grupe Marketing Co., and the Furla Fruit Supply Co., St. Louis, Mo., claimants, having filed their claim and answer to the libel, it was ordered by the court that so much of the product as might be found by inspectors of this department to be fit for food purposes should be delivered to said claimants upon the payment of the costs of the proceedings, conditioned that said portion of the product should not be sold or otherwise disposed of contrary to the provisions of the Food and Drugs Act or of the laws of any State, Territory, District, or insular possession and that the portion unfit for food should be destroyed by the United States marshal.

CLARENCE OUSLEY, *Acting Secretary of Agriculture.*

**5470. Adulteration of oranges. U. S. \* \* \* v. 300 Cases of Oranges.  
Default decree of condemnation, forfeiture, and destruction.  
(F. & D. No. 8145. I. S. No. 12257-m. S. No. C-667.)**

On March 2, 1917, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 300 cases of oranges, remaining unsold in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped on or about February 21, 1917, by H. B. McCall, Oviedo, Fla., and transported from the State of Florida into the State of Missouri, and charging adulteration in violation of the Food and Drugs Act. The article was labeled, "Fancy Florida Fruit Ask for McCall Brand H. B. McCall, Oviedo, Florida."

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a decomposed vegetable substance.

On April 3, 1917, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CLARENCE OUSLEY, *Acting Secretary of Agriculture.*

**5471. Adulteration of tomato pulp. U. S. \* \* \* v. 20 Cases of Tomato Pulp. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 8148. I. S. No. 2051-m. S. No. E-812.)**

On March 3, 1917, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 20 cases of tomato pulp labeled in part, "Highland Square Brand Tomato Pulp \* \* \* Packed by Cooke, Shanawolf Co., Baltimore, Md.," remaining unsold in the original unbroken packages at Jersey City, N. J., alleging that the article had been shipped on or about February 8, 1917, by the Cooke, Shanawolf Co., Baltimore, Md., and transported from the State of Maryland into the State of New Jersey, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in substance in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance.

On May 16, 1917, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CLARENCE OUSLEY, *Acting Secretary of Agriculture.*

**5472. Adulteration of tomato pulp. U. S. \* \* \* v. 50 Cases \* \* \* of Tomato Pulp. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 8151. I. S. No. 2050-m. S. No. E-811.)

On March 5, 1917, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 50 cases, each containing 48 packages of tomato pulp, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped on or about February 7, 1917, by Edward I. Delson, Paterson, N. J., and transported from the State of New Jersey into the State of New York, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Ruxton Brand Tomato Pulp \* \* \* Mantik Packing Co. \* \* \* Baltimore, Md."

Adulteration of the article was alleged in substance in the libel for the reason that it consisted in particular, wholly or in part, of a decomposed vegetable product.

On April 6, 1917, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CLARENCE OUSLEY, *Acting Secretary of Agriculture.*

**5473. Adulteration of oranges and grapefruit. U. S. \* \* \* v. 1 Carload of Oranges and Grapefruit. Default decree of condemnation and forfeiture. Good portion ordered sold and unfit portion to be destroyed.** (F. & D. No. 8152. I. S. No. 10638-m. S. No. C-670.)

On March 5, 1917, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1 carload of oranges and grapefruit, remaining unloaded from the car at Chicago, Ill., alleging that the article had been shipped on February 22, 1917, by A. D. Gore, Mount Dora, Fla., and transported from the State of Florida into the State of Illinois, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a decomposed vegetable substance.

On March 16, 1917, on account of the perishable character of the article, an order was entered directing the United States marshal to separate, under the supervision of a food and drug inspector of this department, such portion of the article as might be properly used for food from the portion that was unfit, and that such unfit portion should be destroyed and the good portion should be sold. On April 9, 1917, no claimant having appeared for the property, a formal judgment of condemnation and forfeiture was entered, confirming the previous order of the court.

CLARENCE OUSLEY, *Acting Secretary of Agriculture.*

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5474. **Adulteration and misbranding of hydrogen peroxid.** U. S. \* \* \* v. Arthur Co., a corporation. Plea of *nolo contendere*. Fine, \$10 and costs. (F. & D. No. 8155. I. S. Nos. 20342-1, 20343-1, 1387-m.)

On or about June 4, 1917, the United States attorney for the district of Connecticut, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district, an information against the Arthur Co., a corporation, New Haven, Conn., alleging shipment by said company, in violation of the Foods and Drugs Act, on or about March 8, 1916, and March 3, 1916, from the State of Connecticut into the State of California, and November 1, 1916, from the State of Connecticut into the State of Massachusetts, of quantities of an article labeled in part, "Hydrogen Peroxide," which was adulterated and misbranded.

Analyses of samples of the article in each shipment by the Bureau of Chemistry of this department showed the following results:

*Shipment of March 3.*

Hydrogen peroxid (per cent by weight)-----	2.15
Free acid (cc N/10 acid per 25 cc)-----	6.8
Acetanilid: Present.	

*Shipment of November 1.*

Net weight (average of 4 bottles) (ounces)-----	3.89
Hydrogen peroxid ( $H_2O_2$ ) (per cent by weight)-----	1.99
Free acids (cc N/10 acid per 25 cc)-----	5.1
Acetanilid: Present.	

*Shipment of March 8.*

Net contents (fluid ounces)-----	3.72
Hydrogen peroxid (per cent by weight)-----	2.12
Free acid (cc N/10 acid per 25 cc)-----	6.55
Acetanilid: Present.	

Adulteration of the article in each shipment was alleged in the information for the reason that it was sold under the name recognized in the United States Pharmacopœia, to wit, hydrogen peroxid, and it differed in strength and quality and purity from the standard of strength, quality, and purity as determined by the test laid down in the said Pharmacopœia, and was of a lower standard of strength, quality, and purity, and its own standard thereof was not stated upon its label or elsewhere.

Misbranding of the article in each shipment was alleged for the reason that the statement concerning the article and the ingredients and substances contained therein appearing on the label, to wit: "10 vol. U. S. P.  $H_2O_2$  3%," was false and misleading in that it represented to purchasers that the article contained not less than 3 per cent by weight of  $H_2O_2$ , that is to say, of hydrogen dioxid, whereas, in fact and in truth, it did not, but contained a less quantity of hydrogen dioxid than 3 per cent of said article. Misbranding of the article in the shipments of March 8 and November 1, 1916, was alleged for the further reason that the statement concerning the article and the ingredients and substances contained therein appearing on the label, to wit, "4 Oz. Liquid," was false and misleading in that it represented to purchasers that each bottle of the article contained not less than 4 fluid ounces of said article, whereas, in fact and in truth, it did not, but contained a less quantity of said article than 4 fluid ounces thereof.

On June 7, 1917, the defendant company entered a plea of *nolo contendere* to the information, and the court imposed a fine of \$10 and costs.

CLARENCE OUSLEY, *Acting Secretary of Agriculture.*

**5475. Adulteration of oranges. U. S. \* \* \* v. 396 Boxes \* \* \* of Oranges. Consent decree of condemnation and forfeiture. Good portion released on bond. Unfit portion ordered destroyed. (F. & D. No. 8157. I. S. No. 10767-m. S. No. C-674.)**

On March 8, 1917, the United States attorney for the Northern District of Iowa, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 396 boxes of oranges remaining unsold in the original unbroken packages at Dubuque, Iowa, alleging that the article had been shipped on or about February 21, 1917, by D. Kellerman, Lindsay, Cal., and transported from the State of California into the State of Iowa, and charging adulteration in violation of the Food and Drugs Act. The article was labeled: "Sunbright Brand California Oranges."

Adulteration of the article was alleged in substance in the libel for the reason that 66.6 per cent showed drying in over 20 per cent of the sections of said product and that 16.6 per cent of the oranges were rotten and decomposed.

On March 19, 1917, D. Kellerman, Pittsburgh, Pa., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the article should be released to said claimant upon the payment of the costs of the proceedings and other expenses and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act, conditioned in part that the product should be inspected by an inspector of this department, and that the portion found unfit for food should be destroyed and the good portion delivered to said claimant.

CLARENCE OUSLEY, *Acting Secretary of Agriculture.*

**5476. Adulteration of oranges. U. S. \* \* \* v. 360 Cases of Oranges \* \* \*. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 8159. I. S. No. 10858-m. S. No. C-675.)**

On March 9, 1917, the United States attorney for the Eastern District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 360 cases of oranges, remaining unsold in the original unbroken packages at Detroit, Mich., alleging that the article had been shipped on February 19, 1917, by Dr. P. Phillips, Orlando, Fla., and transported from the State of Florida into the State of Michigan, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in substance in the libel for the reason that it consisted in whole or in part of a decomposed vegetable substance.

On March 30, 1917, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CLARENCE OUSLEY, *Acting Secretary of Agriculture.*

**5477. Adulteration of scallops. U. S. \* \* \* v. 1 Five-gallon Can of Scallops. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 8162. I. S. No. 1828-m. S. No. E-813.)

On February 28, 1917, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1 five-gallon can of scallops, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped on or about February 19, 1917, by A. Barrus, Hatteras, N. C., and transported from the State of North Carolina into the State of New York, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in substance in the libel for the reason that water had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and had been substituted in part for said article.

On March 21, 1917, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CLARENCE OUSLEY, *Acting Secretary of Agriculture.*

**5478. Adulteration of scallops. U. S. \* \* \* v. 4 Five-gallon Cans of Scallops. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 8163. I. S. No. 1832-m. S. No. E-814.)**

On February 28, 1917, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 4 five-gallon cans of scallops, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped on or about February 26, 1917, by A. Barrus, Hatteras, N. C., and transported from the State of North Carolina into the State of New York, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in substance in the libel for the reason that water had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and had been substituted in part for said article.

On March 21, 1917, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CLARENCE OUSLEY, *Acting Secretary of Agriculture.*

**5479. Adulteration of scallops. U. S. \* \* \* v. 4 Five-gallon Cans of Scallops. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 8164. I. S. No. 1833-m. S. No. E-815.)**

On February 28, 1917, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 4 five-gallon cans of scallops, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped on February 23, 1917, by the Star Fish Co., Morehead City, N. C., and transported from the State of North Carolina into the State of New York, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in substance in the libel for the reason that water had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and had been substituted in part for said article.

On March 21, 1917, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CLARENCE OUSLEY, *Acting Secretary of Agriculture.*

**5480. Adulteration of scallops. U. S. \* \* \* v. 3 Five-gallon Cans of Scallops. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 8166. I. S. No. 1835-m. S. No. E-817.)**

On February 28, 1917, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 3 five-gallon cans of scallops, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped on or about February 22, 1917, by W. T. Lawson, Quimby, Va., and transported from the State of Virginia into the State of New York, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in substance in the libel for the reason that water had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and had been substituted in part for said article.

On March 21, 1917, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CLARENCE OUSLEY, *Acting Secretary of Agriculture.*

**5481. Adulteration of scallops. U. S. \* \* \* v. 3 Five-gallon Cans of Scallops. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 8167. I. S. No. 1836-m. S. No. E-818.)**

On February 28, 1917, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 3 five-gallon cans of scallops, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped on or about February 23, 1917, by P. B. Mason, Keller, Va., and transported from the State of Virginia into the State of New York, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in substance in the libel for the reason that water had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and had been substituted in part for said article.

On March 21, 1917, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CLARENCE OUSLEY, *Acting Secretary of Agriculture.*

**5482. Adulteration of scallops. U. S. \* \* \* v. 6 Five-gallon Cans of Scallops. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 8168. I. S. No. 1837-m. S. No. E-819.)**

On February 28, 1917, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 6 five-gallon cans of scallops, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped on or about February 22, 1917, by Piner Bros., Morehead City, N. C., and transported from the State of North Carolina into the State of New York, and charging adulteration in violation of the Foods and Drugs Act.

Adulteration of the article was alleged in substance in the libel for the reason that water had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and had been substituted in part for said article.

On March 21, 1917, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CLARENCE OUSLEY, *Acting Secretary of Agriculture.*

**5483. Adulteration of scallops. U. S. \* \* \* v. 1 Box \* \* \* of Scallops. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 8171. I. S. No. 1841-m. S. No. E-820.)**

On March 2, 1917, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1 box containing 45 one-gallon cans of scallops, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped on or about February 26, 1917, by Stanley Wallace, Painter, Va., and transported from the State of Virginia into the State of New York, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in substance in the libel for the reason that water had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and had been substituted in part for said article.

On March 21, 1917, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CLARENCE OUSLEY, *Acting Secretary of Agriculture.*

**5484. Adulteration and misbranding of olive oil. U. S. \* \* \* v. 18 Cans \* \* \* of Olive Oil. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 8174. I. S. No. 1561-m. S. No. E-821.)

On March 12, 1917, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 18 cans of olive oil, consigned by T. Benedetto, Elizabeth, N. J., remaining unsold in the original unbroken packages at Chester, Pa., alleging that the article had been shipped on or about February 6, 1917, and transported from the State of New Jersey into the State of Pennsylvania, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that cottonseed oil had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and had been substituted in part for olive oil.

Misbranding was alleged in substance for the reason that the labels of the article bore statements regarding said article and the ingredients and substances contained therein, to wit, "Finest Quality Olive Oil Extra Pure of Termini Imeresi Italy Sicilia—Italia Guaranteed Absolutely Pure," which were false and misleading in that they indicated that the article was Italian olive oil, when in fact it was not.

On April 4, 1917, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CLARENCE OUSLEY, *Acting Secretary of Agriculture.*

**5485. Adulteration and misbranding of olive oil. U. S. \* \* \* v. 3 Cases of Olive Oil \* \* \*. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 8175. I. S. No. 4852-m. S. No. E-822.)**

On March 12, 1917, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 3 cases of olive oil, consigned on or about February 16, 1917, and remaining unsold in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by the Italian Importing Co., Elizabeth, N. J., and transported from the State of New Jersey into the State of Maryland, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Finest Quality Olive Oil \* \* \* Guaranteed Absolutely Pure \* \* \*."

Adulteration of the article was alleged in the libel for the reason that it consisted of approximately 5 per cent cottonseed oil which had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and had been substituted in part for the article.

Misbranding was alleged for the reasons that the article was labeled and branded so as to deceive and mislead the purchaser, that the label contained statements that were false and misleading, and that the article was an imitation of and offered for sale under the distinctive name of another article, to wit, pure olive oil.

On April 14, 1917, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CLARENCE OUSLEY, *Acting Secretary of Agriculture.*

5486. **Adulteration of tomatoes. U. S. \* \* \* v. 600 Cases \* \* \* of Tomatoes. Consent decree of condemnation and forfeiture. Product ordered released on bond.** (F. & D. No. 8177. I. S. No. 8706-m. S. No. E-825.)

On March 17, 1917, the United States attorney for the Western District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 600 cases each containing 24 cans of 2 pounds each of tomatoes labeled in part: "Booth's Tomatoes, Oval Brand, \* \* \* Booth Packing Co., Baltimore Md., U. S. A. Distributors," remaining unsold in the original unbroken packages at Buffalo, N. Y., alleging that the article had been shipped on or about November 7, 1916, by the Booth Packing Co., Baltimore, Md., and transported from the State of Maryland into the State of New York, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that added water had been mixed and packed with it so as to reduce and lower and injuriously affect its quality and strength, and had been substituted in part for the article.

On May 18, 1917, the said Booth Packing Co., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be delivered to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$1,500, in conformity with section 10 of the act.

CLARENCE OUSLEY, *Acting Secretary of Agriculture.*

**5487. Adulteration of grapefruit. U. S. \* \* \* v. 100 Boxes of Grapefruit. Consent decree of condemnation and forfeiture. Good portion released. Unfit portion destroyed. (F. & D. No. 8180. I. S. No. 22310-m. S. No. W-172.)**

On March 15, 1917, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 100 boxes of grapefruit, consigned on or about February 13, 1917, by the H. C. Schrader Co., Orlando, Fla., remaining unsold in the original unbroken packages at Denver, Colo., alleging that the article had been shipped and transported from the State of Florida into the State of Colorado, and charging adulteration in violation of the Food and Drugs Act.

It was alleged in the libel that the article was adulterated for the reason that said grapefruit were decomposed, having been frosted, and as a result of such frosting their tissues showed disintegration, they were bitter, soft, mushy, and rotten.

On April 16, 1917, the Middleswarth Fruit Co., a corporation, Denver, Colo., claimant, having consented to a decree, and judgment of condemnation and forfeiture having been entered, and the good portion of the product having been released to said claimant, the remainder having been destroyed by the United States marshal, the disposition of the product was ratified and confirmed by the court, and it was ordered that said claimant should pay the costs of the proceedings.

CLARENCE OUSLEY, *Acting Secretary of Agriculture.*

5488. **Adulteration of scallops.** U. S. \* \* \* v. 3 Boxes \* \* \* of Scallops. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 8181. I. S. No. 1842-m. S. No. E-829.)

On March 6, 1917, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 3 boxes, each containing 2 five-gallon cans of scallops, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped on or about February 26, 1907 [1917], by A. Barrus, Hatteras, N. C., and transported from the State of North Carolina into the State of New York, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in substance in the libel for the reason that water had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and had been substituted in part for said article.

April 6, 1917, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CLARENCE OUSLEY, *Acting Secretary of Agriculture.*

**5489. Adulteration of grapefruit. U. S. \* \* \* v. 360 Boxes of Grapefruit. Consent decree of condemnation, forfeiture, and destruction. (F. & D. No. 8184. I. S. No. 11065-m. S. No. C-680.)**

On March 16, 1917, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 360 boxes of grapefruit, remaining unsold in the original unbroken packages at Minneapolis, Minn.; alleging that the article had been shipped by Dr. P. Phillips, Orlando, Fla., on or about February 22, 1917, and transported from the State of Florida into the State of Minnesota, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a decomposed vegetable substance.

On March 19, 1917, S. G. Palmer & Co., Minneapolis, Minn., and R. B. Crutchfield, agent for the said Dr. P. Phillips, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CLARENCE OUSLEY, *Acting Secretary of Agriculture.*

**5490. Adulteration and misbranding of pork and beans. U. S. \* \* \* v. 300 Cases of Pork and Beans. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 8187. I. S. No. 22204-m. S. No. W-173.)**

On March 19, 1917, the United States attorney for the District of Oregon, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 300 cases of pork and beans, remaining unsold in the original unbroken packages at Portland, Oreg., alleging that the article had been shipped on March 14, 1917, by O. A. Nelson & Co., a corporation, San Francisco, Cal., and was being transported from the State of California into the State of Idaho, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Thelma Brand Pork and Beans \* \* \*."

Adulteration of the article was alleged in the libel for the reason that it consisted of pork and soya beans, which had been substituted for navy beans.

Misbranding was alleged in substance for the reason that the statement appearing on the label, to wit, "Thelma Brand Pork and Beans, Thelma Brand Pork and Beans are unexcelled as a nutritious and palatable food product, contains only 5 per cent of starch," purported to show and indicated that the said beans were navy beans, whereas, in truth and in fact, they were soya beans, and the said statement was false and misleading, and deceived and misled the purchaser.

On April 9, 1917, the said O. A. Nelson & Co., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$1,200, in conformity with section 10 of the act.

CLARENCE OUSLEY, *Acting Secretary of Agriculture.*

**5491. Adulteration of oranges. U. S. \* \* \* v. 1 Carload of Oranges. Decree of condemnation, forfeiture, and destruction as to portion of product. Libel dismissed as to balance.** (F. & D. No. 8188. I. S. Nos. 1456-m, 1457-m, 1458-m. S. No. E-831.)

On March 9, 1917, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1 carload of oranges, consigned on or about March 1, 1917, remaining unsold in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by the H. C. Citrus Assoc., Haines City, Fla., and transported from the State of Florida into the State of Maryland, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that from 24 to 38 per cent of it consisted of filthy, decomposed, and putrid vegetable matter.

On March 9, 1917, no appearance having been entered, and no answer to the libel having been filed, and the oranges having been sorted under the supervision of a representative of the Department of Agriculture, it was ordered by the court that the portion of the oranges found to have been decayed and damaged should be condemned and forfeited, and that the same should be destroyed by the United States marshal, and that the libel should be dismissed as to the oranges found to be sound and undamaged.

CLARENCE OUSLEY, *Acting Secretary of Agriculture.*

**5492. Adulteration of oranges. U. S. \* \* \* v. 396 Boxes of Oranges.**  
**Consent decree of condemnation and forfeiture. Product ordered**  
**released on bond. (F. & D. No. 8189. I. S. No. 8707-m. S. No. E-832.)**

On March 10, 1917, the United States attorney for the Western District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 396 boxes of oranges, remaining unsold in the original unbroken packages at Buffalo, N. Y., alleging that the article had been shipped on March 6, 1917, by D. Kellerman, Pittsburgh, Pa., and transported from the State of Pennsylvania into the State of New York, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Sunbright Brand California Oranges, D. Kellerman Company, Distributors, California."

Adulteration of the article was alleged in substance in the libel for the reason that it was composed in whole or in part of a filthy, decomposed, and putrid substance, which rendered it unfit for human consumption.

On March 15, 1917, E. I. Turner, Buffalo, N. Y., and the said D. Kellerman, claimants, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be delivered to said claimants upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$800, in conformity with section 10 of the act. It was further ordered that the article might be sorted under the supervision of a United States food and drug inspector, and that the portion found fit for human food, after the elimination of the decayed and light-weight oranges, should be released and the bond then terminated.

CLARENCE OUSLEY, *Acting Secretary of Agriculture.*

**5493. Adulteration of oranges. U. S. \* \* \* v. 2 Cars of Oranges. Good portion of product ordered released on bond.** (F. & D. No. 8190. I. S. Nos. 2137-m, 2138-m. S. No. E-833.)

On March 13, 1917, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 2 cars of oranges, marked in part: "Lee & Edwards \* \* \* Thonotosassa, Fla., remaining unsold in the original unbroken packages at Pittsburgh, Pa., alleging that the article had been shipped on or about March 2, 1917, by Lee & Edwards Co., Thonotosassa, Fla., and transported from the State of Florida into the State of Pennsylvania, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in substance in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance.

On March 14, 1917, the Pennsylvania Railroad Co., Pittsburgh, Pa., claimant, in order to recover payment of the freight and demurrage charges, filed a petition that it might be permitted to take possession of and sell said goods, and it was ordered by the court on that date that the good portion of the oranges should be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$400, in conformity with section 10 of the act.

CLARENCE OUSLEY, *Acting Secretary of Agriculture.*

**5494. Adulteration of oranges. U. S. \* \* \* v. 1 Car of Oranges. Good portion of product ordered released on bond.** (F. & D. No. 8191. I. S. No. 2139-m. S. No. E-834.)

On March 13, 1917, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1 car of oranges, remaining unsold in the original unbroken packages at Pittsburgh, Pa., alleging that the article had been shipped and transported from the State of Florida into the State of Pennsylvania, and was received at Pittsburgh on March 8, 1917, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in substance in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance.

On March 14, 1917, the Pennsylvania Railroad Co., Pittsburgh, Pa., claimant, in order to recover payment of the freight and demurrage charges, filed a petition that it might be permitted to take possession of and sell said product, and it was thereupon ordered by the court that the good portion of the oranges should be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$200, in conformity with section 10 of the act.

CLARENCE OUSLEY, *Acting Secretary of Agriculture.*

**5495. Adulteration of grapefruit. U. S. \* \* \* v. 250 Boxes of Grapefruit. Consent decree of condemnation and forfeiture. Good portion released on bond. Unfit portion destroyed. (F. & D. No. 8193. I. S. No. 22313-m. S. No. W-175.)**

On March 24, 1917, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 250 boxes of grapefruit, consigned on or about March 6, 1917, by S. J. Sligh & Co., Orlando, Fla., remaining unsold in the original, unbroken packages at Denver, Colo., alleging that the article had been shipped and transported from the State of Florida into the State of Colorado, and charging adulteration in violation of the Food and Drugs Act.

It was alleged in the libel that the article was adulterated for the reason that it had been frosted, and the tissues thereof were undergoing rapid disintegration as a result of said frosting, and said product consisted in part of bitter, soft, mushy, and rotten grapefruit.

On April 16, 1917, David Schwartz, Denver, Colo., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and the good portion of the product having been released to said claimant, and the remainder having been destroyed by the United States marshal, the disposition of the product was ratified and confirmed by the court, and it was ordered that said claimant should pay the costs of the proceedings.

CLARENCE OUSLEY, *Acting Secretary of Agriculture.*

**5496. Adulteration of oranges. U. S. \* \* \* v. 381 Cases of Oranges \* \* \*. Consent decree ordering release of good portion of product. Unfit portion ordered destroyed. (F. & D. No. 8197. I. S. No. 12264-m. S. No. C-685.)**

On March 24, 1917, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district, a libel for the seizure and condemnation of 381 cases of oranges, remaining unsold in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped on or about March 13, 1917, by the Sutherland Fruit Co., Riverside, Cal., and transported from the State of California into the State of Missouri, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Sutherland Fruit Company, California Banner Brand Oranges."

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a decomposed vegetable substance.

On March 31, 1917, the Fruit Supply Co., St. Louis, Mo., claimant, having filed its answer to the libel, it was ordered by the court that so much of the product as might be found by inspectors of this department to be fit for food purposes should be delivered to said claimant upon the payment of the costs of the proceedings, and upon the further condition that the portion of the product so released should not be disposed of contrary to law, and it was further ordered that the portion of the product found unfit for food should be destroyed by the United States marshal.

CLARENCE OUSLEY, *Acting Secretary of Agriculture.*

**5497. Adulteration and misbranding of olive oil. U. S. \* \* \* v. 1 Case of Olive Oil \* \* \*. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 8198. I. S. No. 3360-m. S. No. E-826.)**

On March 12, 1917, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1 case of olive oil, consigned on or about February 24, 1917, remaining unsold in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by the Italian Importing Co., Elizabeth, N. J., and transported from the State of New Jersey into the State of Maryland, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Finest quality Olive Oil. \* \* \* Guaranteed absolutely pure \* \* \* Net contents full gallon."

Adulteration of the article was alleged in the libel for the reason that it consisted of cottonseed oil, which had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and had been substituted in part for the article.

Misbranding was alleged for the reasons that the article was labeled and branded so as to deceive and mislead the purchaser; that the label contained statements which were false and misleading; that the article was an imitation of and offered for sale under the distinctive name of another article, to wit, pure olive oil; and that there was a shortage of 6 per cent from the marked quantity.

On April 14, 1917, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CLARENCE OUSLEY, *Acting Secretary of Agriculture.*

**5498. Adulteration and misbranding of sweetened Malaga wine type.**  
**U. S. \* \* \* v. A. Prince & Son, Inc., a corporation. Plea of guilty. Fine, \$25. (F. & D. No. 8200. I. S. No. 4612-L.)**

On May 21, 1917, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against A. Prince & Son, Inc., a corporation, New York, N. Y., alleging shipment by said company, in violation of the Food and Drugs Act, on February 11, 1916, from the State of New York into the State of Maryland, of a quantity of an article labeled in part, "Sweetened Malaga Wine Type \* \* \*," which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed it to be an imitation Malaga type wine sweetened with glucose and artificially colored with amaranth, a coal-tar dye.

Adulteration of the article was alleged in the information for the reason that an imitation Malaga wine type, sweetened with glucose and artificially colored, had been substituted for sweet Malaga wine type, which the article purported to be; and for the further reason that it was colored with artificial coloring whereby inferiority was concealed; and for the further reason that it was mixed and packed with glucose whereby inferiority was concealed.

Misbranding was alleged for the reason that the statement concerning the article and the ingredients and substances therein contained, appearing on the barrels, to wit, "Malaga Wine Type," was false and misleading in that it represented to purchasers that said article was a sweet wine of Malaga type; and for the further reason that it was labeled as aforesaid so as to deceive and mislead purchasers into the belief that it was a sweet wine of Malaga type, whereas, in fact and in truth, it was not, but was wine sweetened with glucose and artificially colored.

On June 6, 1917, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$25.

CLARENCE OUSLEY, *Acting Secretary of Agriculture.*

**5499. Adulteration of butter grease. U. S. \* \* \* v. Harrison Robins, Sr., and Harrison Robins, Jr. (Robins & Co.). Pleas of guilty. Fine, \$25 and costs.** (F. & D. No. 8203. I. S. No. 1059-m.)

On May 4, 1917, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Harrison Robins, sr., and Harrison Robins, jr., trading as Robins & Co., Baltimore, Md., alleging shipment by said defendants; in violation of the Food and Drugs Act, on or about October 19, 1916, from the State of Maryland into the State of New York, of a quantity of butter grease which was adulterated.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Free acids (as butyric) (per cent)----- 5.50

Test for rancidity: Positive.

Odor very strong and offensive.

The above examination shows the article to be decomposed.

Adulteration of the article was alleged in the information for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid animal substance.

On May 4, 1917, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$25 and costs.

CLARENCE OUSLEY, *Acting Secretary of Agriculture.*

5500. Misbranding of cottonseed meal. U. S. \* \* \* v. Tecumseh Oil & Cotton Co., a corporation. Plea of guilty. Fine, \$50 and costs. (F. & D. No. 8205. I. S. No. 11157-1.)

On May 7, 1917, the United States attorney for the Western District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Tecumseh Oil & Cotton Co., a corporation, doing business at Tecumseh, Okla., alleging shipment by said company, in violation of the Food and Drugs Act, on or about February 23, 1916, from the State of Oklahoma into the State of Minnesota, of a quantity of an article labeled in part, "Imperial Cotto Brand Choice Cotton Seed Meal," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Nitrogen (per cent)-----	5.74
Ammonia (per cent)-----	6.97
Protein (per cent)-----	35.9

The above results show that the product contained less ammonia, less nitrogen, and less protein than was declared on the label.

Misbranding of the article was alleged in the information for the reason that the statements concerning the article and the ingredients and substances contained therein, appearing on the label, to wit, "Guaranteed Analysis: Ammonia, not less than 8.00%, Nitrogen 6.50%, Protein, 41.00% \* \* \*," were false and misleading in that they represented to purchasers that it contained not less than 8 per cent of ammonia, not less than 6.5 per cent of nitrogen, and not less than 41 per cent of protein; and for the further reason that it was labeled as aforesaid so as to deceive and mislead purchasers into the belief that it contained not less than 8 per cent of ammonia, 6.5 per cent of nitrogen, and 41 per cent of protein, whereas, in fact and in truth, it did not contain 8 per cent of ammonia, 6.5 per cent of nitrogen, or 41 per cent of protein, but contained a less quantity of each of said elements than the amounts represented by said statements to be present in said article.

On May 9, 1917, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$50 and costs.

CLARENCE OUSLEY, Acting Secretary of Agriculture.

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Fluid extract for mistra' vegetal compound. <i>See</i> Extract.		Iodin, tincture. <i>See</i> Tincture.
"Fountain of Health" restorative tablets:		Jam:
Sharpe & Dohme-----	5126	Rothschild, John, & Co--- 5056
Fritch's vegetable liniment:		Johnson's, Dr. Clark, Indian blood sirup:
Fritch, J. A-----	5171	Hoeschler Bros ----- 5018
Fritch's vegetable soap:		Ketchup, compound. <i>See</i> Compound ketchup:
Fritch, J. A-----	5171	tomato. <i>See</i> Tomato ketchup.
Frozen eggs. <i>See</i> Eggs.		Kidney and liver regulator, Perkins' national herbs blood purifier. <i>See</i> Regulator.
Frozen egg yolks. <i>See</i> Eggs.		Kidney tablets. <i>See</i> Tablets.
Fruit, dried:		"King of Pain":
Carroll, Brough, Robinson & Humphrey -----	5106	Lanman & Kemp----- 5136
Geese. <i>See</i> Poultry.		Lafayette cough sirup:
Gem scratch feed. <i>See</i> Feed.		Lafayette Co ----- 5024
Gilbert's gravel root compound:		Lamb, spring:
Gilbert, T. H., Drug Co---	5025	Bailey, Dolan----- 5200
Ginger ale:		Lemke's, Dr., golden electric liniment:
Northwestern Bottling Works -----	5448	Lemke's, Dr. H. C., Medicine Co----- 5176
Gluten feed. <i>See</i> Feed.		Lemke's D., St. Johannis drops:
Golden electric liniment. <i>See</i> Liniment:		Lemke's, Dr. H. C., Medicine Co----- 5176
Gowan's preparation:		Lemon oil. <i>See</i> Oil.
Gowan Medical Co-----	5084	Lemon pie filling. <i>See</i> Pie filling.
Grape juice:		Liniment, golden electric:
Theonett & Co-----	5061	Lemke, Dr. H. C., Medicine Co----- 5176
Grapefruit:		soap:
Day, R. D-----	5298, 5316	Berkeley, C. F----- 5042
Gore, A. D-----	5473	Jackson & Whipps----- 5043
La Isabella Grove Plantation Co -----	5306	vegetable:
Phillips, Dr. P-----	5489	Fritch, J. A----- 5171
Schrader, H. C., Co---	5469, 5487	Lithia water. <i>See</i> Water.
Sligh, S. J., & Co-----	5495	Liver, blood, and kidney remedy. <i>See</i> Remedy.
Gravel root compound. <i>See</i> Com- pound.		Lung balm. <i>See</i> Balm.
Grease, butter:		Lung germine:
Robins & Co-----	5499	Lung Germine Co----- 5280



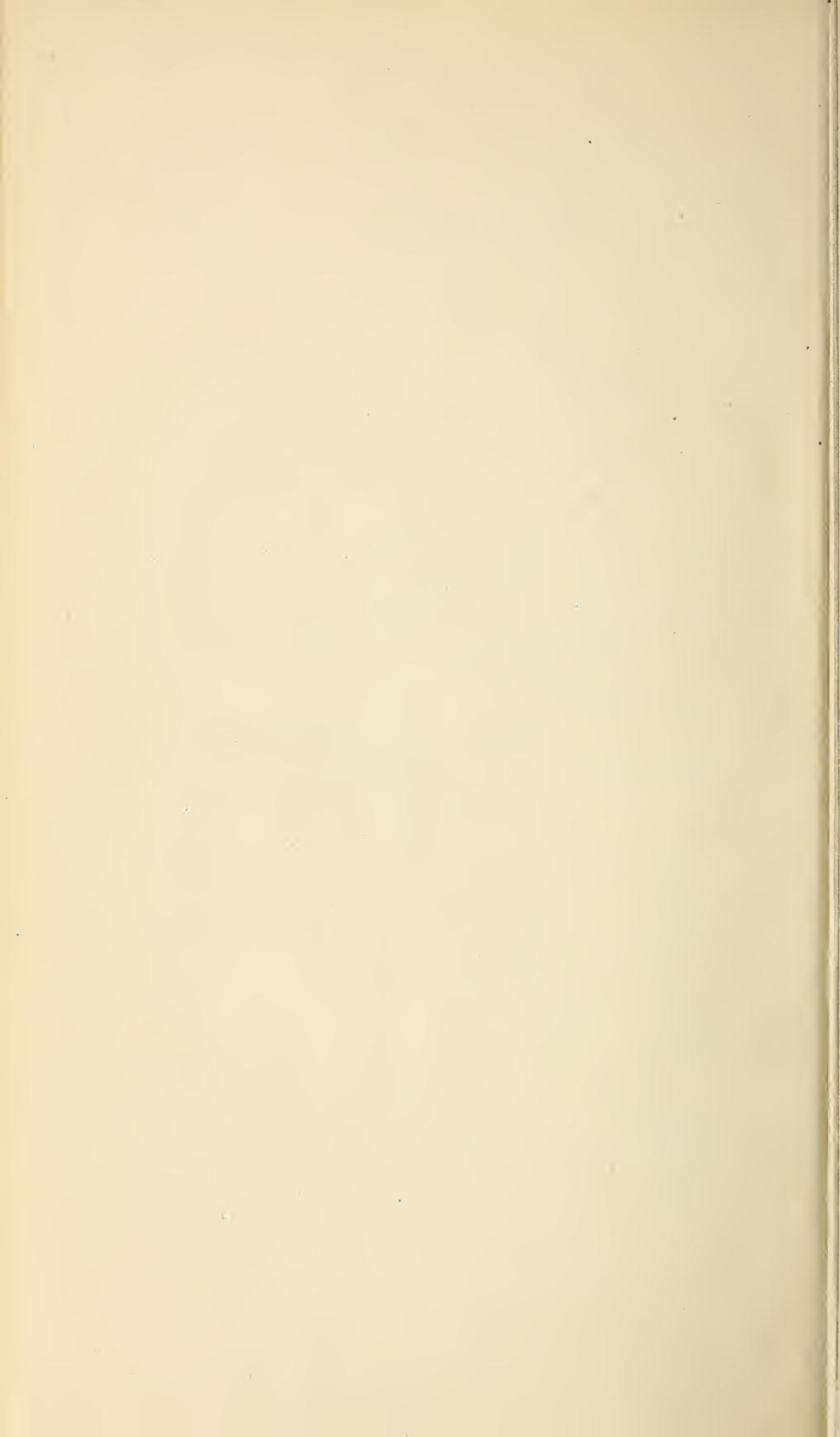
Oysters—Continued.	N. J. No.	Potatoes—Continued.	N. J. No.
Diggs, Jerome	5051	sweet, canned:	
Dodge, D. R.	5209	Bothwell, J. T., Grocery	5198
Ellsworth, J. & J. W., Co.	5231	Co.	5206
Frazer, Alexander, Co.	5226, 5227, 5228	Noble Bros	5356
Havens, L. & W. D.	5256	Schwab, L. H.	
Mansfield, F., & Sons Co.	5261	Poultry, dressed:	
Merrill, J. I.— 5159, 5160, 5161		Bellman, J.	5396
Old Dutch Market	5174	Powders, great magic condition:	
Pausch Brothers Oyster Co.	5237, 5238	Sutton, Samuel.	5270
Rocky Point Oysters Co.	5045, 5046	Prescription, physician's:	
Sea Food Co.	5180	O'Donnell's Pharmacy	5019
Sears Bros	5140	Prunes:	
Tangier Packing Co.	5389	Berdan & Co.	5320
Thomfordt, E.	5210	California Fruit Canners	
Thompson, George, & Son	5157	Assoc.	5385
Union Fish & Oyster Co.	5211	Hampton Grocery Co.	5420
Weser, C. H.	5173, 5468	Herbert, G. N.	5331
Pain remedy. <i>See</i> Remedy.		Rosenberg Bros. & Co.	5351
Paine's celery compound:		Pulp, tomato. <i>See</i> Tomato pulp.	
Wells & Richardson Co.	5021	Pumpkin, canned:	
Paregoric:		Noble Bros.	5296
Berkeley, C. F.	5042	Pure northern Ohio sugar. <i>See</i>	
Coblenz Pharmacy	5041	Sugar, maple and cane.	
Jackson & Whipps	5043	Purifier, blood, kidney and liver reg-	
Pastillo natural mineral water. <i>See</i>		ulator, Perkins's national herbs:	
Water.		National Herbs Co.	5175
Payne's sylax:		Radams microbe killer:	
German Medicine Co.	5269	Radams, Wm., Chemical Co.	5029
Peaches, dried:		Regulator, kidney and liver, Per-	
Carroll, Brough, Robinson		kins's national herbs blood puri-	
& Humphrey	5106	fi er:	
Pears, canned:		National Herbs Co.	5175
Paver, J. M., Co.	5313	Remedy compound:	
Pepper:		Hamer's Sure Cure Co.	5266
Blanke, C. F., Tea & Coffee		hog:	
Co.	5134	National Breeders Co.	5016
Hudson & Gram Co.	5277	De Witt's, Dr., liver, blood, and	
Newton Tea & Spice Co.	5257	kidney remedy:	
Peppermint, white, fluid extract.		Parker, W. J., Co.	5240
<i>See</i> Extract.		pain:	
Perkins national herbs blood puri-		Hite, S. P., Co.	5015
fi er, kidney and liver regulator:		S. B. cough and consumption:	
National Herbs Co.	5175	Blumauer-Frank Drug Co.	5063
Peroxid of hydrogen:		strong, sure, safe, and speedy	
Arthur Co.	5474	stomach, liver, kidney and	
Phosphate of iron, quinine, and		rheumatism:	
strychnine, elixir of:		Denn's Rheumatic Cure Co.	5130
Ogram's Drug and Gift		rheumatic:	
Store	5260	Strange, H. M.	5028
Pie and tart filler:		Victor, No. 6 compound:	
Sunlit Fruit Co.	5067	Victor Medicine Co.	5124
Pie filling, lemon:		Victor, No. 19 compound:	
Boyd Fruit Sugar Co.	5245	Victor Medicine Co.	5124
Pills, hemogenas:		Restorative tablets. <i>See</i> Tablets.	
Sharpe & Dohme	5125	Rheumatic cure. <i>See</i> Cure.	
Old Lady Fulten's comforting:		Rheumatic remedy. <i>See</i> Remedy.	
Sharp & Dohme	5122	Royal baby's safety:	
Pine tar honey, Dr. Bell's:		Royal Mfg. Co.	5453
Sutherland Medicine Co.	5271	S. B. cough and consumption rem-	
Pork and beans. <i>See</i> Beaus.		edy:	
Potatoes:		Blumauer-Frank Drug Co.	5063
California Vegetable Union	5203	St. Johannis drops. <i>See</i> Drops.	
		Salmon. <i>See</i> Fish.	
		Sardines. <i>See</i> Fish.	
		Sauerkraut, canned:	
		Noble Bros.	5296

Scallops:	N. J. No.	N. J. No.
Barrus, A-----	5477, 5478, 5488	Tamarind sirup. <i>See</i> Sirup.
Boulter, Charles-----	5405	Tart and pie filler. <i>See</i> Pie and tart filler.
Carteret Fish Co-----	5409, 5432, 5467	Taylor's horehound balsam:
Dixon, J., & Sons-----	5431	Taylor Drug & Chemical Co----- 5214
Jackson Fish Co-----	5013	Temperine:
Lawson, W. T-----	5480	Laevison, A. M., & Co. 5434, 5443
Mason, P. B-----	5481	Tincture, iodin:
Mears, A. H. G-----	5014	Affleck, P. G----- 5177 O'Donnell's Pharmacy --- 5019 Peraza, Domingo----- 5449
Morehead City Sea Food Co-----	5013, 5410, 5430	Tomato conserve:
Piner Bros-----	5482	Vecchi, Luigi, & Co----- 5377
Riggan, J. H., & Co-----	5406	ketchup:
Star Fish Co-----	5479	Colter, A. W., Canning Co. 5047 Lewis Packing Co----- 5071 Naboth Vineyards----- 5137
Sylvia, J. C., Jr-----	5411	pulp:
Wallace, Stanley -----	5483	Andrews Packing Co----- 5109 Andrews, W. P----- 5427 Booth Packing Co--- 5299, 5424 Cooke, Shanawolf Co--- 5454, 5461, 5471
Shrimp:		Delson, E. I----- 5472 Hartlove Packing Co----- 5073 Ladoga Canning Co----- 5112 Mantik Packing Co--- 5403, 5437 Roberts Bros----- 5349 Spindler, V. G----- 5193 Williams Bros. Co----- 5215, 5216, 5312
Sea Food Co-----	5426	sauce:
Sirup, cane:		Valliant, W. H., & Bro--- 5445
Georgia Cane Product Co--	5078	stock:
cough:		Greenabaum & Bros----- 5040
Lafayette Co-----	5024	Tomatoes, canned:
Indian blood:		Arbuckles Co----- 5278 Baker, C. W., Sons----- 5374 Booth Packing Co----- 5486 Bruceville Canning Co--- 5386 Kamman, J. H., Co----- 5302 Langrall, J., & Bro--- 5414, 5436 Levin's, S. H., Sons----- 5350 Little Bay Ice Co----- 5324 Noble Bros----- 5296 Paver, J. M., Co----- 5313 Preston Canning Co--- 5419 Roberts Bros ----- 5412 Robinson, W. E., & Co--- 5328, 5354, 5378
tamarind:		Stevens ----- 5293 Waterview Packing Co--- 5355 Webster-Butterfield Co--- 5337
Puziello, Luccaro & Co---	5451	strained:
Soap liniment. <i>See</i> Liniment.		Fort Stanwix Canning Co. 5027
Soap, vegetable:		Tonic, cow:
Fritch, J. A-----	5171	National Breeders Co----- 5016
Soda, strawberry:		Turmeric root:
Tip Top Bottling Co-----	5069	Ransom, L. E., Co----- 5283
Sore wash. <i>See</i> Wash.		Turpentine, spirits of:
Spirits of turpentine. <i>See</i> Turpentine.		Dill Medicine Co----- 5053
Spring lamb. <i>See</i> Lamb.		Tweed's brand pure malt whisky.
Spring water. <i>See</i> Water.		<i>See</i> Whisky.
Stock, tomato. <i>See</i> Tomato stock.		
Strange's rheumatic remedy:		
Strange, H. M-----	5028	
Strawberry soda. <i>See</i> Soda.		
Stuart's calcium wafer compound:		
St. John, H. W., Co-----	5164	
Stuart, F. A., Co-----	5149, 5163, 5194	
Sugar, maple and cane:		
Northern Ohio Sirup & Manufacturing Co-----	5052	
Sulphur bitters. <i>See</i> Bitters.		
Sweet cider. <i>See</i> Cider.		
Sweet milk chocolate. <i>See</i> Chocolate.		
Sweet potatoes. <i>See</i> Potatoes.		
Sweet spirits of niter. <i>See</i> Niter.		
Swiss liquor, fluid extract. <i>See</i> Ex- tract.		
Sylax, Payne's:		
German Medicine Co-----	5269	
Tablets, acetylsalicylic acid:		
Import Drug Specialties---	5218	
creavita:		
Inter-American Pharmacal Corp -----	5120	
Navaun's, Dr., kidney:		
Botanic Drug Co-----	5131	
restorative, "Fountain of Health":		
Sharpe & Dohme-----	5126	

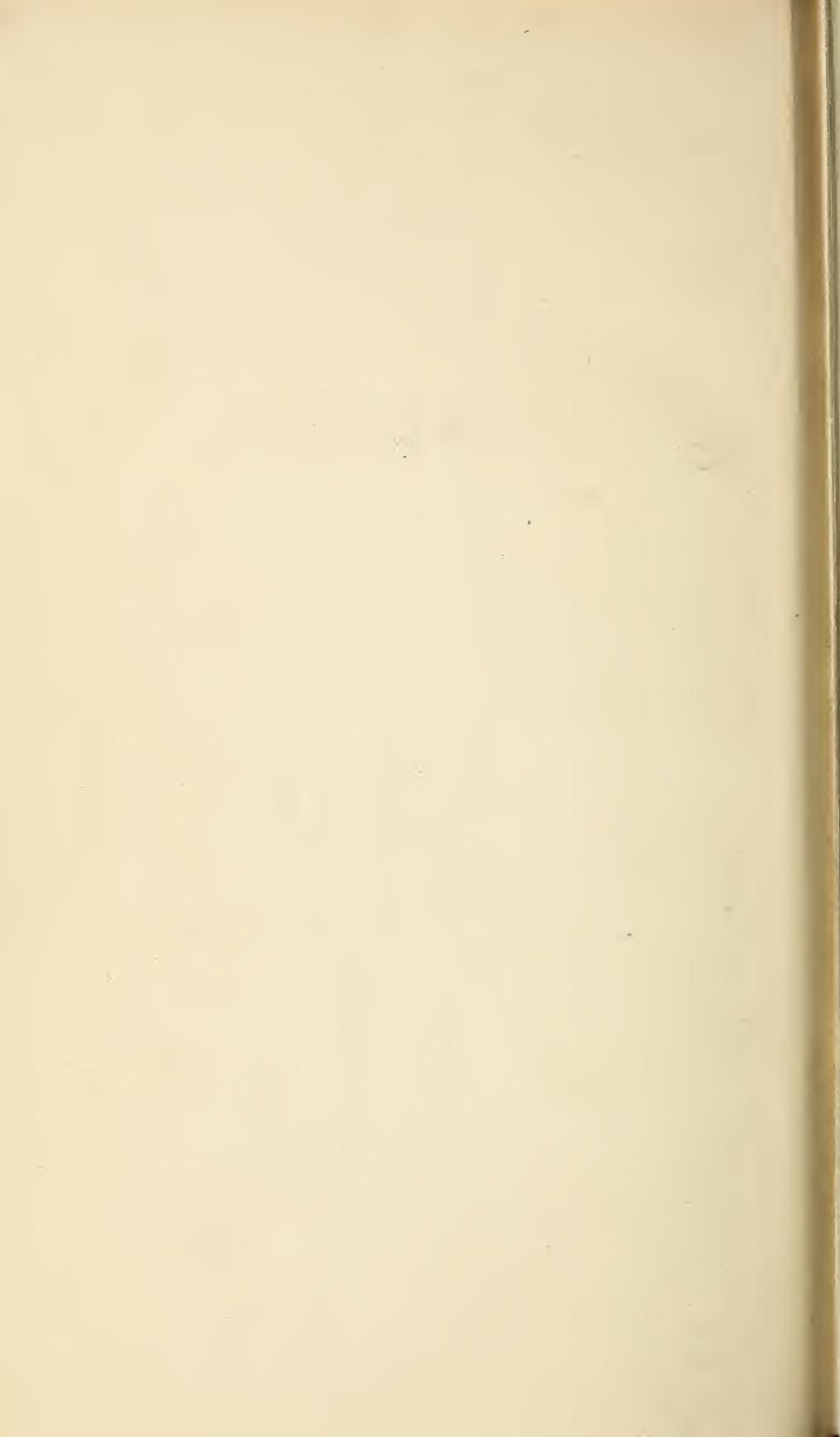
Urol:	N. J. No.	Vinegar—Continued.	N. J. No.
Standard Chemical Co----	5085	Swift & Co-----	5422
Vanilla. <i>See</i> Extract.		Williams Bros. Co. 5387, 5388, 5390	
Vegetable liniment. <i>See</i> Liniment.		Wash, sore, Owen's wonderful:	
Vegetable soap. <i>See</i> Soap.		Sore Wash and Eye Lotion	
Vegetables, canned:		Co-----	5023
MacVeagh, Franklin, & Co- 5341		Water, Crazy:	
Noble Bros----- 5296		Crazy Well Water Co----- 5415	
Veronica spring water. <i>See</i> Water.		lithia:	
Victor injection. <i>See</i> Injection.		Coppahaunk Lithia Springs	
Victor remedies. <i>See</i> Remedy.		Co----- 5107	
Vinegar:		Sander, Enno, Mineral	
Allegan Cider & Vinegar		Water Co----- 5292	
Co----- 5338		mineral:	
Benton Fruit Products Co- 5391,		Allouez Mineral Spring Co- 5416	
5393, 5394, 5397, 5398,		mineral, Pastillo natural:	
5399, 5400, 5401, 5407		Ferran & Dapena----- 5250	
Brocton Fruit Products Co- 5263		Romaguera, Jose----- 5206	
Cumberland Valley Fruit		spring:	
Product Co----- 5236		Hampton Springs Co----- 5100	
Dawson Bros. Mfg. Co- 5132, 5169		Veronica Medicinal Springs	
Gist-Leo Vinegar Co----- 5086		Water Co----- 5232	
Gutekunst, O. J., Fruit		Wheat bran. <i>See</i> Feed.	
Products Co----- 5382		Whisky, Tweed's brand pure malt:	
Kinney Cider & Vinegar Co- 5197		Lyons, E. G., & Raas Co- 5111	
Kuehne, Otto, Preserving		White groats. <i>See</i> Feed.	
Co----- 5079, 5080		Wild cherry cider. <i>See</i> Cider.	
L. C. Mercantile Co----- 5166		Wine:	
Libby, McNeil & Libby----- 5413		Catalano, Cosimo----- 5037	
McLean, Wallace, Vinegar		Malaga type, sweetened:	
Co----- 5096		Prince, A., & Son----- 5498	
Price & Lucas Cider & Vine-		Wool fat, anhydrous:	
gar Co----- 5076		Hilton Chemical Co----- 5148,	
Robinson Cider & Vinegar		5162, 5172, 5186	
Co- 5371, 5372, 5373, 5376, 5380		hydrous:	
Security Trust Co----- 5387,		Hilton Chemical Co----- 5148,	
5388, 5390		5172, 5186, 5187	
Sheehan Bros----- 5369			











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